United States Court of Appeals for the Second Circuit



APPENDIX

ORIGINAL

75-1107

United States Court of Appeals

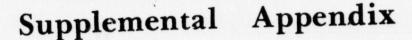
For the Second Circuit.

UNITED STATES OF AMERICA.

-against-

ERNEST CORALLUZZO, et al. Appellants.

On Appeal From The United States District Court For The Southern District Of New York



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SUPPLEMENTAL APPENDIX

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THE PROSECUTION CONTENDS THAT ON AUGUST 23, 1973, AT 2:11 AM, THERE WAS AN OUTGOING CALL TO 784-9162 FROM PETER MENGRONE TO ERNEST CORALLUZZO.

Conversation #110 EXH. 3

CORALLUZZO: Hello delivery.

MENGEONE: Hello delivery, how ya doing?

CORALLUZZO: Ok.

MENGRONE: You surviving hm?

CORALLUZZO: Hmm.

MENGRONE: You surviving?

CORALLUZZO: Yeah, whose this?

MENGRONE: Pete - Whose Ernie?

CORALLUZZO: Yeah.

MENGRONE: Yeah, Ah, long story short.

CORALLUZZO: Yeah?

MENGRONE: Ah - what I had yesterday.

CORALLUZZO: Yeah.

MENGRONE: . I have it till 11 o'clock in the morning.

CORALLUZZO: 11 a morra?

MENGRONE: Yeah, ya think a we could do anything?

CORALLUZZO: Wha the fuck did'nt ya tell Nicky, I told im ta ask ya that.

MENGRONE: Well le me put it to ya this way Ok - He come up at 5 o'clock.

CORALLUZZO: Ah, ya didn't see them, then they told ya- I could understand.

MENGRONE: I ah, tried him every 15 minutes and I finally gave up an decided ta

call you.

CORALLUZZO: Yeah.

MENGRONE: Because he says ah be at the house from like 7 o'clock on.

CORALLUZZO: Yeah, but then he didn't know he hadda switch cars, he had Jimmy's car,

he hadda go pick up my fathers and what not, Alright listen.

MENGRONE: Right .

CORALLUZZO: Ah (pause) I ah, I gotta call here an wasen here.

MENGRONE: Um hm

CORALLUZZO: Ah, I mean I was here, but I stepped out, the fuckin idiot, I was

right outside he told um I wasn't here, so now they they said they

will call back.

MENGRONE:

Ok.

CORALLUZZO:

Ah so I am I'm waiting here now you're where at home.

MENGRONE:

At he house right?

CORALLUZZO:

Than you'll be home until....

MENGRONE:

Till 11 o'clock in the morning.

CORALLUZZO:

Till 11 in the morning.

MENGRONE:

An ·like ah.

CORALLUZZO:

Ok.

MENGRONE:

This is the partner, very cool guy, I an I told um, like ya know.

CORALLUZZO:

Yeah.

MENGRONE:

What we wanted ta do he says hey do it. I go along with it so.

CORALLUZZO:

Ah beautiful- ah my God Peter.

MENGRONE:

Ok?

CORALLUZZO:

Yeah alright.

MENGRONE:

Eh so what else could I do?

CORALLUZZO:

(inaud) Alright I'm gonna go down the

MENGRONE:

Ok, I'll be here.

CORALLUZZO:

Ok bye.

MENGRONE:

Bye.

END OF CONVERSATION.

SA 2

CV 5

THE PROSECUTION CONTENDS THAT ON AUGUST 23, 1973. At 10:30 A.M., THERE WAS AN OUTGOING CALL TO #212-931-7891 FROM PETER MENGRONE TO DOMINICK GIORGIO.

Conversation #114 EXH L

GIORGIO: Hello.

MENGRONE: Good morning whats happening its Peter.

GIORGIO: Yeah.

MENGRONE: Oh. (laugh)

GIORGIO: I got about four wrong numbers already this morning.

MENGRONE: For who me?

GIORGIO: Different people.

MENGRONE: Um.

GIORGIO: Whats shaking on the job?

MENGRONE: Nothin, I ga you know that guys coming over at tweleve o'clock.

I don't want you to forget on me.

GIORGIO: Yeah, no problem.

MENGRONE: Because then, I'll do with em you know after on...

GIORGIO: Very good.

MENGRONE: A also bring up a little test drive come, I'll have another guy there too.

GIORGIO: Alright.

MENGRONE: You know the you will be up anyway

GIORGIO: Alright very good.

MENGRONE: I tried to get ahold a you last night a I sat at the Villa Monaire for

three Fuckin hours!

GIORGIO: What time?

MENGRONE: Last night I was there from eleven o'clock on.

GIORGIO: Ah, I try not to go to often you know.

MENGRONE: Um.

GIORGIO: Causa?

MENGRONE: I dig, I dig, - no cause I held on to what I had you know.

GIORGIO: Yeah.

And then I called our friend late last night & he said he was gonna get MENGRONE:

ahold of maybe your canda done something wa I guss nothering happened.

He's here. GIORGIO:

He's there? MENGRONE:

GIORGIO: Um.

Well ask him if he was gonna do something. MENGRONE:

A not really (inaud) five minutes (inaud). GEORGIO:

Huh, Ok, no no sweat I'll just turn it back and say hey we can't get MENGRONE:

on our way (laugh) you follow me, well you can't talk anyway so gimme a

call I'll see you at my place.

Who the (inaud) GEORGIO:

Yeah, unless he's busy I don't know. MENGRONE:

He's sitting in the bathroom. GEORGIO:

He's a bitch unh I'm pooped when he's finished in the bathroom tell him MENGRONE:

to come on out.

Hold on. GEORGIO:

GEORGIO: Hello?

Hello there, how are you. MENGRONE:

Just waking up. I was just gonna call you. MENGRONE:

Ok, ok I saved you a dime (sniker). You going out? MENGRONE:

I gotta go to work, I gotta be in for 11:15. MENGRONE:

What time? GEORGIO:

11:15 I told (inaud) to get up their 11:30. MENGRONE:

Oh. GEORGIO:

This way like you know if I can like can take care of him, Fine if MENGRONE:

not I gotta pass.

Well I was gonna ask you if you wanta pass a the neighborhood, cause I GEORGIO:

gotta see somebody there and a in a half hour, 11 o'clock.

Ok, where a the place I a was waiting for ya the last time. MENGRONE:

Yeah. GEORGIO:

MENGRONE: A I'll be their a what times it now?

GEORGIO: Its 10:30.

MENGRONE: Its 10:30, I'11 be there for 11:15.

GEORGIO: Alright?

MENGRONE: Ok.

GEORGIO: Yeah.

MENGRONE: Be cool, bye bye.

GEORGIO: So long ehh.

MENGRONE: Uh .

GEORGIO: You'll have that with you?

MENGRONE: Of course.

GEORGIO: Alright because if a if thats it then we'll right then and there.

MENGRONE: No problems.

GEORGIO: So long.

MENGRONE: I'll see you later bye bye.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT ON AUGUST 24, 1973 AT 6:44 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM GARY PEARSON TO PETER MENGRONE

Conversation: 166 EXH 5

MENGRONE':

Hello

PEARSON:

Hello

MENGRONE:

Yea

PEARSON:

How are you

MENGRONE:

Busy

PEARSON:

Ha

MENGRONE:

Busy, busy, busy, just got in

PEARSON:

Alright ah, where you going to be at 8 o'clock

MENGRONE:

I have no idea

PEARSON:

Well I have someone for you

MENGRONE:

Like on what

PEARSON:

Ha, like a bearded fellow

MENGRONE:

On I know about the bearded fellow

PEARS ON:

Yea

MENGRONE:

Yea, he called this morning and ah a long story short

he asked till Wednesday

PEARSON:

Ha

MENGRONE:

He asked until Wednesday

PEARSON:

Ya

MENGRONE:

And I had to go along with it, I got no choice what

am I supposed to do, you follow me

Conversation: 166 -2-

PEARSON: Yea

MENGRONE: And ah, he told me what he did, did he tell you

PEARSON: No, no I'm I'm seeing him right now

MENGRONE: Oh cause ah, its not, its not even worth discussing.
its so obsurd, thats between you and I, you'll hear,

when you hear the story its un fucking real

PEARSON: Hm

MENGRONE: And ah, you know, I, I said I called up the guy, and

told him like ah Wednesday it is, thats all

PEARSON: Hm

MENGRONE: But this Yam is no real problem you follow me. he

just wants his fucking money

PEARSON: Hm

MENGRONE: You can't ah blame him, but meanwhile until we do

this, this kid has got us tied in, two diff, and I said to him if you had called, pick up the phone, we go

down, we talk to him like this way you know he

sees your here right

PEARSON: Hm

MENGRONE: And you go from there but like that didn't happen as

far as the yam was concerned there was a beat involved.

you know

PEARSON: Hm

MENGRONE: And now if there is no beat I had to guarantee for

Wednesday thats all

PEARSON: Yea well I knew he was going to call you this morning

cause I went over there last night

MENGRONE: Oh did you go there, shook him all up

PEARSON: Yea did he tell you

Conversation: 166 -3-

MENGRONE: Yea he said that you were over by the house, he

wanted to know how you knew, well I said I don't think

there is anybody in the Bronx who doesn't know

PEARSON: I spoke with his wife I spoke with his brother I told

him he better get in touch with me today, he came (ver

here I wasn't home

MENGRONE: I got annoyed for one reason

PEARSON: Ha

MENGRONE: I got annoyed for a reason, his brother who I was in

touch with right

PEARSON: Yea

MENGRONE: Lies to me

PEARSON: Ha

MENGRONE: He lies to me the guy, he doesn't tell me nothing you

know and meanwhile you dont know what to say if you get caught in a lie with the yam where do you go from

there

PEARSON: Hm

MENGRONE: You follow me

PEARSON: Cause the only thing too is right is you put the

thousand out on him too right

MENGRONE: Thank you 0-k

PEARSON: Right

MENGRONE: What, that was with Nickie

PEARSON: Ha

MENGRONE: That was with Nickie

PEARSON: No you said that to me up there

MENGRONE: Ah you want to get paid for him

*Conversation: 166 -4-

PEARSON: Ha

MENGRONE: You want to get paid for him is that what it is

PEARSON: No its not me (laugh) its the guy thats with him now

MENGRONE: Your a bitch you know that youd fucking weasel a dime

PEARSON: Dont like people working for nothing

MENGRONE: Have I ever made you work for nothing

PEARSON: Yea

MENGRONE: You got some fucking balls your really wild

PEARSON: Alright listen (inaudible) these other fucking people come to see me and everything like this over there to

right

MENGRONE: You got to put these people off till the end of next

week cause thats the only time were going to start doing anything with this yam, common sense right, if we

take care of the Wednesday and we go from there

PEARSON: Yea, I know that you aint got five hundred or anything

MENGRONE: From where, let me explain a fact of like o-k, I am

doing nothing except trying my darndest to get that Italian stuff on consignment from anybody and its like

they look at you like your fuckin wackie

PEARSON: Hm Hm

MENGRONE: My cousin Ive been with every night this week and we'r

going to see the kid again tonight to see if the kid

if we can push that

PEARSON: Yea

MENGRONE: But that the thats the only logical out, because that

is like super money forget the nickle and dime shit

you follow me

PEARSON: Hm

Conversation: 166 -5-

MENGRONE: And even that stuff that ah frick and frack had,

they look at you like youre nuts, cause its no good but ah I this kid got me tied (inaudible) over the weekend if I can make some moves, Im waiting to see what the kid does tonight, because I'll be with my cousin, I'll pick him up at eleven oclock we go

down again

PEARSON: Your cousin have any good news for me yet

MENGRONE: Well this it if I can tell this kid well look at

least give us one or two bottles, you dig

PEARSON: Hm

MENGRONE: And let us see what the hell it is, because he works

in the place and thats what the whole thing he works

for Gikey

PEARSON: Yea

MENGRONE: You dig so hes just you know do what he has to do, so

I'll say hey, give us you know and let us look thats enough to get way the hell off the ground, you follow

me

PEARSON: Hm

MENGRONE: And then (inaudible) about hm until Monday or Tuesday

when ever he comes with the rest, so far I let my cousin do the talking, tonight I tell them I wanted

to talk and get it over with

PEARSON: Yea

MENGRONE: So let me go down with him and see what the hell he

says, as far as this kid goes you cant do nothing with

this kid

Ha you cant do nothing with this kid until he comes

up with the money, you follow me

PEARSON: Yea

MENGRONE: And he asked till Wednesday period, and thats what we'

do thats all, and after Wednesday its a matter I just go to the yam and I get what off of him so lets just

keep our fingers crossed and do the right fucking thin

PEARSON: 0-K

MENGRONE: I'll talk to you more later, I should give me a call

at work tomorrow I'll be up at the Ford place

PEARSON: Alright

MENGRONE: O-K

End of Conversation

THE PROSECUTION CONTENDS THAT ON AUGUST 26, 1973 AT 5:15 P.M. THERE WAS AN OUTGOING CALL TO ERNEST CORALLUZZO FROM PETER MENGRONE

Conversation #231 EXH. 6

FEMALE VOICE: Hello

MENGRONE : Hello there, the boss home?

FEMALE : Who's this?

MENGRONE : Peter.

FEMALE : Peter. I'm the boss, don't you know that?

MENGRONE : Oh, wow, no.

FEMALE : It took you all this time to realize that.

MENGRONE : I'm sorry, I really didn't know that.

FEMALE : O.K. (inaudible) This is the under-man.

MENGRONE : The under-boss, right?

FEMALE : O.K., hold on.

(LONG WAITING PERIOD)

FEMALE : Ernie, you on?

MENGRONE : Yes.

FEMALE : Is he on yet?

MENGRONE : No, I figure he's still sleeping.

FEMALE : No, he's not sleeping, wait a minute, let me call him again.

(LONG PAUSE)

MENGRONE : That means anytime now, he's whistling, he feels good now.

(PAUSE)

CORALLUZZO : Hello.

MENGRONE : Hello, there.

CORALLUZZO : Wow, wow

MENGRONE : Not that I know who the boss is in the family.

CORALLUZZO: Oh, yeah.

MENGRONE : I asked her for the boss, she says well I'm the boss (laughs) and

I said, oh wow (laughs). What are you doin?

CORALLUZZO: Eh, I got my father over here (inaudible). Where are you?

MENGRONE : In the house, where else? You know I went out this morning you know.

CORALLUZZO: You and that other guy got me very pissed off Friday night.

MENGRONE : About what?

CORALLUZZO: Because somebody should just trust my judgement, and somebody should

deliver messages. This Nicky believe me.

MENGRONE : Well there was no messages to be delivered, I am came back, I am came

back at 3:30 and Jimmy said that I missed yous, I mean, I was riding around between the carpet and the place and how many times am I going

to stay out.

CORALLUZZO: I had had to wait out, and had there was like ah, I don't want to

sav much.

MENGRONE : I'm hip.

CORALLUZZO: Ten, we could have earned, got even and earned ten, Peter. After

three days up and then that happens, believe me ah, ah, ah

I came home and passed out.

MENGRONE : Figure, I haven't questioned your judgement. I told you that. You

do what has to be done because I was with him this mornin.

CORALLUZZO: Did he, did he speak to you?

MENGRONE : Who's that?

CORALLUZZO: Nicky.

MENGRONE : Not yet.

CORALLUZZO: He didn't tell you what I had in mind, the whole thing, the whole

story.

MENGRONE: No, nobody is telling me nothing. Let me put it to you this way.

CORALLUZZO: Where are you going to be tonight?

MENGRONE : Well, it's up to you because ah I spoke to the other gentleman and

he's going to be away for a couple of days again, you dig.

CORALLUZZO: Yeah.

MENGRONE : But ah, very interested, you know this evening, anything.

CORALLUZZO: Anything (inaudible), alright, ah just listen just listen to me.

MENGRONE : I'm hip.

CORALLUZZO: Ah, ah you stay home, I will get in touch with Jimmy.

MENGRONE : Right.

CORALLUZZO: You hear, and he'll know what to do only if he can locate Nicky. So if you can get Nick..

MENGRONE : Nicky's house.

CORALLUZZO: Alright listen, I don't want to talk ... (inaudible). You just tell him to standby and that about 8 o'clock. Give me some time to get in touch with Jimmy, you know what I mean?

MENGRONE : Right.

CORALLUZZO: He'll tell him what to do, who half straighten out with them tonight, we'll ah, ah, ah have something I don't want to talk anymore. Just

MENGRONE: O.K., let me explain something, Jimmy mentioned to me, O.K.
What he was thinking about and what you were thinking about. And
I told him the guy said forget it. If that is what you are talking about.

CORALLUZZO: Ya O.K.?

MENGRONE : O.K. good but ah, but ah on his end, you dig, he's coming to me.

CORALLUZZO: I said don't worry about it we can switch it around. You wait to hear from Jimmy.

MENGRONE: O.K. I gotta pick my cousin up. I gotta pick up Frankie at 10, so in other words, if you can get to him before then give me a call.

CORALLUZZO: By 8 o'clock you'll know.

MENGRONE: Yea well if I, if you can meet me someplace where I can talk to you about something else that you and I can do.

CORALLUZZO: It's impossible...(inaudible).

MENGRONE : Oh, you're tied up all day then.

CORALLUZZO: (inaudible) I gotta be with my dad and I gotta, from here I gotta go Upstate ah (inaudible)

MENGRONE: O.K. well let Jimmy get a hold of Nicky, get a hold of me by 8 o'clock.

CORALLUZZO: Jimmy will come to you.... and the make the call inaudible

MENGRONE : O.K. no problems.

CORALLUZZO: Alright and ta

MENGRONE : If you need me. Are you working tonight or you going, how long

are you home.

CORALLUZZO: No I'm going to be out with my father. I gotta go Upstate with him,

Garrison, New York.

MENGRONE : Oh that's a hell away up. O.K.

CORALLUZZO: Ah, you listen to Jimmy, you hear? This fucker Nicky believe me,

I'm goin to give him a smack.

MENGRONE : Nicky wants me to know from nothin. All Nicky does is sits.

CORALLUZZO: Jimmy the Dunce when he wants to be....ah let Jimmy explain everything

to you and you listen to me, don't worry about it.

MENGRONE : Because he had come by this mornin, Jimmy. I saw Jimmy already.

CORALLUZZO: Yea.

MENGRONE : And said, he he'd bet back to us this afternoon. Well, I said I'll

be home.

CORALLUZZO: Well, I spoke to him. I told him call me back at 6 that's why I

said by 8, probably before that.

MENGRONE : O.K.

CORALLUZZO: Alright.

MENGRONE : I'll talk to you later, if not, I'll talk to you in the mornin.

CORALLUZZO: OK

MENGRONE : Bye, bye.

THE PROSECUTION CONTENDS THAT ON AUGUST 28, 1973 AT 10:58 A.M. THERE WAS AN OUTGOING CALL TO 212-931-7891 FROM PETER MENGRONE TO DOMINICK GIORGIO

Conversation #275 EXH. 7

GIORGIO : Hello

MENGRONE: You awake.

GIORGIO : Yeah.

MENGRONE: For my own edification would you just tell me what the fuck was going on what were you moving on your own.

GIORGIO: No, no I just a I don't know a (stutter) he didn't say nothing I'm disappointed you know.

MENGRONE: I didn't say nothing.

GIORGIO: You know and er I didn't know whether to open my mouth I just

MENGRONE: Don't you understand something if he knew he made the move or I gave you five up front right and sold the two.

GIORGIO: Well that I didn't know that's why.

MENGRONE: Now up he knew I gave you the money cause Jimmy was there, but the point was I didn't know they gave you forty five hundred dollars.

GIORGIO: Yeah.

MENGRONE: So you in other words you you take five you got forty five that's ninety five hundred.

GIORGIO : Right.

MENGRONE : You come to me the next day for the next five.

GIORGIO: Right.

MENGRONE: So we go to the bag but cause the Yom is looking for me last night and I accused him I said lemme tell you something it's forty hundred dollars short.

GIORGIO: Yeah.

MENGRONE: And he says well I gave it to him to pay (inaudible) and I'm looking at him like what are you fuckin wild.

GIORGIO: I know its short I know its forty five short but I wouldn't I wouldn't put it back in front of him it

ñ

MENGRONE: But the point is I tried to reach you all fuckin day cause I had something yesterday all day and who the where the fuck are you?

GIORGIO: When was this, on Monday?

MENGRONE: Yeah I told you I had the guy coming up Monday you said 1'11 be available all day just call the house.

GIORGIO: I didn't leave here until after one.

MENGRONE: Well I get to work at one right didn't your wife tell you that I came down I sat there from five to six thirty.

GIORGIO: Un the wife last night you know a when he blew his top and a then it was time for you to say something too you know I didn't does he if he knows about nothin there's no problem I mean if he knows about (inaud).

MENGRONE: He was blowing his top because I had accused him that's why cause I told him hey you're fucking around with the money and meanwhile the Yom comes to me I go Sunday I gotta go there empty handed today I gotta go empty handed and he says well all I is seven thousand I go what are you fuckin wild and he says whata you mean and I I said to him you know how the fuck (stutter) he says I gave him forty five hu well no ah but lets call a spade a spade OK

GIORGIO: Yeah.

MENGRONE: Obviously you had something on your own and you were moving right or wrong.

GIORGIO: Well that I got on consignment anyway I didn't even have to pay for it.

MENGRONE: Sch that's fine but like you say that was something that you knew we were supposed to do but you were doing it on your own fine it's your business but

GIORGIO: Yeah but it was (inaudible) you know I'll tell you it was a you know such a (inaud) amount you know I was a bustin it up very very a small.

MENGRONE: 'Uhn I'm hip, I'm hip but the point is they know I gave you five.

GIORGIO: Yea.

MENGRONE: This was the start cause he knew I had it outs the package OK and then he says cause he was looking for the other eighth that they were gonna move.

GIORGIO: No but he still didn't know still didn't know

MENGRONE: Wha ya mean he still didn't know.

GIORGIO: He didn't know where the half a pound was he didn't know that

MENGRONE: He knew he knew I had taken it outa the bag.

GIORGIO: Right.

MENGRONE: And paid for the package up front the half on consignment you follow me.

GIORGIO: Which is this early (inaud) of the Friday the Thursday.

MENGRONE: The this the Friday I gave you five and you pulled it right.

GIORGIO: Right.

MENGRONE: And then you cane and I gave you the other five as soon as 1 made the move you asked me for it Saturday up here because you said you hadda pay the guy.

GIORGIO: Right.

MENGRONE: Well obviously you didn't hafta pay the guy if he'd given you forty five the night before cause you took forty five off Ernie.

GIORGIO: Friday night, right.

MENGRONE: Right.

GIORGIO: Right.

MENGRONE: So he goes wild because he says he gave you forty five I gave you another five he wants to know where the other five thousand is

GIORGIO: Right.

MENGRONE: You know and a

GIORGIO: No actually what happened now if I hafta get another one its per involved see now I couldn't tell them I hadda tell them that I had to a you know I was getting that up front I didn't wanna tell them that we already pulled I already had

MENGRONE: Well why didn't you bother telling me because that's what I was looking for yesterday and I blow the fuckin move.

GIORGIO: (Inaudible) I wanna see I I Sunday night my wife says you were here

MENGRONE: Of course I

GIORGIO: What was it Saturday or Sunday night.

MENGRONE: Hch - I was looking for you because I had the thing set to go right.

GIORGIO: Yeah.

MENGRONE: So a like like you pay whats the sense it's a lost cause cause a you told me you were gonna be home right meet you at the house so fine my cousin made the contact zonk I shoot down there you do invisible, Sch, and it was like a we blew a lotta fuckin money it was a shame

MENGRONE: because it was a was a beautiful fuckin score but see with him because like you know when he when he's talking about the bag you know and he's talling me he's got seven grand I go I gave you twelve five I had taken the five out because I had the chance you know do something with the guy from Cleveland and then ah the next thing he says is well I gave him forty hundred dollars Friday night and I said you gotta be outa your fuckin mind there's no way and then you know it went back and forth between him and I and then he says well you come with me and he went fuckin berserk and I told him well look I mean you know you wanna handle the money at least be able to keep track of it and in a way like he was keepin track of it but there was no way we could've but he ortill put me in the trick has because I don't have the money.

wanna handle the money at least be able to keep track of it and in a way like he was keepin track of it but there was no way we could've but he still put me in the trick bag because I don't have the money. Fuckin, fuckin nigger is carrying on you know it was just one thing on top of the other, between Kenny and the next 45 disappearing, oh so he thought he went nuts because this whole thing we're doing is just trying to get the money back that this fuckin kid beat us for, he's gonna wind up killing Kenny anyway. He said it last night he wanted to go to the kid's house. What did he say when you went out to Gimbels?

GIORGIO: I just wanted to, you know, I wanted to go out there, if I had whatever, anything I had whatever I had to do, but ah you know we, (inaudible) a long time, like this and that.

MENGRONE: Well this is what hurt ah, I'm saying you know.

GIORGIO: And I couldn't say nothing, like I didn't know what was I had to sit there and listen and I didn't know, you know.

MENGRONE: Jimmy had already told him.

GIORGIO: I'll tell you look, you know (inaudible) anybody with the same damn thing, you would have told him, then that, you know (inaudible).

MENGRONE: But I had told him, but ah, let me try it again with you OK.

GIORGIO: He knew and everything he didn't in the middle of the week.

MENGRONE: He didn't know it in the middle of the week, there was no reason to know in the middle of the week, OK unless you just told him.

GIORGIO : No.

MENGRONE: OK, I

GIORGIO: I didn't tell him nothing.

MENGRONE: I told him, that when I came to the guy was there and he released 1/2 and I gave him 5 because the guy came in from Cleveland and I didn't know what to do, you follow me, so fine you took care of it then and when I came back Jimmy was there meaning when I came back to you to and I told you what I did, so me still had 2 you know, pieces plue 5 right?

GIORGIO: Right.

MENGRONE: And that the next day if you had to go see the guy I gave you the next 5.

with the second state and additional transfer and the second second second second second second second second

MENGRONE: Except that he had the bag and when the time came, like you say, you weren't available yesterday, you dig? This what fractured me, where I need you all day, in fact to the point that even come down to your house and let me sit there you know. Because I had the guy with me.

GÍORGIO: Right.

MENGRONE: You follow me and ah what did you pull off him a 1/2 or whole.

GIORGIO: What?

MENGRONE: On consignment.

GIORGIO: I don't even know, I'm mean as far as going, I got to go there with 1/2, I think. In other words if I want a whole I got to give him a 1/2 (inaudible).

MENGRONE: Yeah but remember something OK, in my office I asked you and you said let me talk to Jerry.

GIORGIO : Yeah.

MENGRONE: If that was who it was.

GIORGIO: Naw, that I don't remember.

MENGRONE: Well I did it specifically because I know Ernie's feeling I know mine, I know Jimmy's and I you know if it is, pass I wouldn't do shit with him.

GIORGIO: But that's where everything was, you know.

MENGRONE: But who the fuck knew, I don't need him. Understand? I got his partner if I want him, direct at a better price, because the kid Frankie is with Mike too. You follow me? And it was just the fact that ah, well you saw what happened OK lets face it. He wants, Ernie wants to beat him.

GIORGIO: Yeah.

MENGRONE: You see and this is why, if, if soon as I knew who it was, I said pass because then you get really involved.

GIORGIO: Right.

MENGRONE: And that's what he's looking to do now I mean you know it and I know it. He's gonna try and pull something, you follow me?

GIORGIO: Yeah.

MENGRONE: On consignment and say scratch your ass but your in the bag, you follow me? And I could have told you this as soon you, if you would have said to me, him I'd say don't even bother because you're gonna run into a fuckin wall and you know it and I know it. Because he's got a fuckin

MENGRONE: vendetta for this kid, but he's gonna put you in the bag, me in the bag, because the guys gonna turn around well you know I gave it to you two.

GIGRGIO: Pete, the only thing I just wanna say one thing, that stuck out in my mind what you said to me last night (inaudible) a wife and 3 kids up there. No please don't ever take that men, you know I don't know if he was just acting on what?

MENGRONE: I tell you the truth OK I've been straight with you right along, I've been trying to do the right thing.

GIORGIO: Yeah.

MENGRONE: I thought you put me in a box.

GIORGIO: Yeah.

MENGRONE: Because when he went nuts now let me say something. He vouches for you so I treat you like my right hand.

GIORGIO: Yeah.

MENGRONE: I don't even question, I give you money whatever you want you got from me.

GIORGIO: Right.

MENGRONE: Understand this, I did this with Kenny, and got burned, I did it with Ralphie, my bartender, I got destroyed. I am sitting with you, I am figure you know, where're doing something, you know I am in I gotta, a pile I am trying to get out.

GIORGIO: Nah.

MENGRONE: And all of a sudden, Ernie made it seem like, well I ain't got the money. This guy took the money. What we gonna do.

GIORGIO: Yeah I took it and I had it. There's no problem, but you know. Its, it's I am it's ridiculous, its gotta come back to me because talk (inaudible) you know where it is (inaudible).

MENGRONE: Why don't you call, even last night when I called.

GIORGIO: Too much, too much (inaudible) I didn't who to talk to what to stay last night, all I did was keep my mouth shut with this guy (inaudible). I didn't know what he knew or what he didn't, you understand. I didn't know if he knew we pulled the package. As far as they were concerned they gave me the (inaudible). They didn't know that I already pull it.

MENGRONE: So he.

GIORGIO: Pulled it, we pull it the day before, we had it on our own, we were going to do something.

MENGRONE: Right, see but when he said was that when I gave, when I gave you the first 5. OK.

GIORGIO: Right.

MENGRONE: He knew I gave you the first 5 to pull, he felt that he gave you the 45 to pay for the package, so that it was all paid up.

GIORGIO: A yeah but you see I don't think he knew, about the first that I pulled, the first 5. I think he thought there was some manipulation with the five, somewhere, somebody did a job on him. Whatever I don't know what he thought.

MENGRONE: He knew I had taken the five out of the package.

GIORGIO : Right.

MENGRONE: And I told him I was gonna try and do something, and when I told him, I said, I hadda a guy coming in from Cleveland, and it just so happen when I gotta hold of you and came down to the house, you were in the middle of making a move, or you were gonna pull a half and the guy wanted 1/2 up front, you follow me, and that's what we did there and then of course he yells at me because I make the move without Ernie on it, you know.

GIORGIO: Yeah.

MENGRONE: And I said look the guy comes in Friday we'll earn enough don't worry about it but a no. I sit back now I realize you wouldn't a done a number on me because there's no reason to a the way he carried on like you know I caught a horror saying to myself Christ he's carrying on, he's reaching twenty years I know you three weeks that's so what the fuck you know.

GIORGIO: Right.

MENGRONE: And I know the fuckin diggers on the phone like a you know, like whats going on and I don't know what to say to him you know because I don't know whats going on.

GIORGIO : Bah.

MENGRONE: But ah when you went to the club were you able to do anything with them.

GIORGIO: No.

MENGRONE: The boys dead right.

GIORGIO: Very right now anyway, it a I had something more last night I never called up very late supposed to hear from them now and a there's hardly anything (inaudible).

MENGRONE: Well get back to me it's important this guy's gonna be at my place at one o'clock, the guy Eddie.

GIORGIO: Yeah.

MENGRONE: And it's definite he's bringing up twenty one big ones for a half and a like I say there's so much that could be done even today and tonight like a I had somebody that wants you know give me three and then I'll front for the quarter I come back with the rest of the money, you follow me.

GIORGIO: Yeah.

MENGRONE: I figure why not you know for two days it ain't gonna kill us cause we'll still have the three anyway.

GIORGIO: Sure.

MENGRONE: But ah when he heard Jerry Rubin's name I caught a fuckin hard on myself cause I my my eyes lit right up I knew exactly what he was gonna do you didn't even have to tell me as soon as you mentioned Rubin. He goes fuckin wild and I think that's what really a

GIORGIO: Set him off.

MENGRONE: Sure more than anything else, as far as he was concerned you know, look the kids a scum bag, he beat my partner Ralphie for a grand and you know started him down hill you follow me and this's the type of guy he is and a like you say he may be the greatest person in the world with ya I mean you have no no way of knowing how the guy acts with you but I just know that everybody you talk to some where along the line got beat.

GIORGIO: Probably.

MENGRONE: You know what I mean.

GIORGIO: Yeah.

MENGRONE: He beat Jimmy, he beat Ernie, beat me and then you say to yourself you know some where along the line in this move somebody's gonna get beat and that's the way he is but again you know Ernie's a funny type a guy he's a you know what made it worse Friday night he can't find you.

GIORGIO: Oh late yeah right.

MENGRONE: And he's got two moves to make.

GIORGIO: Yeah right he told me.

MENGRONE: And I said ta.

GIORGIO: (Inaudible)

MENGRONE: And I said to him look don't break your heart I rode around to five in the morning with my cousin trying to find anybody cause we had you know the one thing.

GIORGIO: Yeah.

MENGRONE: And a it was just a matter just missing everybody's missing each other.

GIORGIO: Matter of ten minutes yuh.

MENGRONE : Yeah.

GIORGIO: Bitch.

MENGRONE: And it was a a of like five grand (snicker) this is what frustration is because we're all you know we're scrambling for.

GIORGIO: Banging our heads right.

MENGRONE: Yeh.

GIORGIO: Banging heads against walls trying to you know unturn un overturn every stone making fast bucks but trying to find some way to go.

MENGRONE: Its turned into a total circus (yawn) so what, what did did you have any.

GIORGIO: I tell you the truth (inaudible) you know you really a don't feel that (inaudible) partners mean more than that to me you know a your the partner I care about (inaudible).

MENGRONE: Hey if you say it like wha I believe you I'm not gonna question it I'm just telling you that's the kinda box I was in last night cause a the guy called you know as I went to Ernie and said lemme you know gimmie the twelve that you got you follow me.

GIORGIO: Right.

MENGRONE: And I'll put the couple packages in I didn't even know that you had given Jimmy the eighth.

GIORGIO: Right.

MENGRONE: So I said that's why I show him that out you know and he goes all I got is seven I go you know NOFF (phonetic) it up though what're you fucking around with me for he says what are you talking about. I said I gave you twelve five you didn't do nothing with the money so all of a sudden a I'm short five. And he says I gave it to the guy a a I said for what he says to pay for the package (laugh) how many times we gonna pay for the fuckin thing you know and then a a it starts because I got him in on the fuckin stand like you know.

GIORGIO: Yeah well thats I guess thats you know a little bit of everything so because is ah looked like a manipulation over there too, you know.

MENGRONE: I'm hip (inaudible) there was.

GIORGIO: Right.

MENGRONE: Oh I knew this, this's the same.

GIORGIO: (Inaudible) But like I'm saying you know what hadn's come down (inaudible) don't be ridiculous not for something like that.

MENGRONE: Pas.

GIORGIO: The thing I was concerned about was how to get it back into the packet without anybody knowing it there wouldna been no problem thats what I was trying to do but a.

MENGRONE: All you do P.

GIORGIO: (Inaudible)

MENGRONE: All you hadda do is pick up the phone and ta and say Petey you know (snort) because I make it like I never used my five.

GIORGIO : Yeah.

MENGRONE: You follow me.

GIORGIO: True, true.

MENGRONE: And on top of that we could used you to do something else that's the killer.

GIORGIO: Well I tell you the truth if there was gonna be anything come up right away I wouldn'a hadda go no place I tell you you know ah.

MENGRONE: But I had it, I had it all day yesterday and I wind up dry if you understand me.

GIORGIO: That's because I was waiting on something and just hanging out I was hanging out over in that neighborhood over there I went to see that fella you know.

MENGRONE: What did Vinny have to say.

GIORGIO: Nothing pass nothing happening at all that was all say yesterday I waited but.

MENGRONE: Was, was Johnn DiSalvo around there?

GIORGIO: Yeah, I seen him.

MENGRONE: And what about Pinky and Zinzy.

GIORGIO: I didn't see them.

MENGRONE: Or Alley Boy, Rusty's son.

GIORGIO: Who?

MENGRONE: Alley, Rusty's son.

GIORGIO: No, I didn't see him.

MENGRONE: (Yawn) (inaudible) so long what did you give them anything last night.

GIORGIO: Ah what I brought out to the car.

MENGRONE: What the two ounces.

GIORGIO: Huh.

MENGRONE: What two ounces.

GIORGIO: Something like that yeah cause I cause I took a little but out there was no a total of three, I took some of it out and I made up a few things wack it up a million times.

MENGRONE: Wacked it up a million times (laugh) look work on that thing today OK on the boy.

GIORGIO: Well that there a as far as I'm concerned you know I don't know a what the hell to do about that but a how bout a I don't know I guess the other thing (inaudible).

MENGRONE: What other thing?

GIORGIO: Oh you know with Jerry which he's not around but a.

MENGRONE: This guy ga um.

GIORGIO: Listen I'll pass this on here for somebody something I don't you know.

MENGRONE: No tell him I didn't get a chance yesterday I'll do it tomorrow I'm just a little bit busy tell him again.

GIORGIO: You know what I mean I'll just pass on it I won't even do nothing until I hear from if we have a (inaudible) meeting or what.

MENGRONE: Oh will th will this guy Cochese release goods or what.

GIORGIO: Ah I think so I think so you know.

MENGRONE: Ah see now this where you get me in the bag right Ernie says that you spoke to the guy and the guy didn't know nothing about it or did you lie to Ernie.

GIORGIO: Yeah no, no that's true I spoke to the wrong guy my fault that's why I made a call last night out there and I gotta call back when I was told the right person to go see.

MENGRONE: OK

GIORGIO: I spoke to the wrong party.

MENGRONE: OK just well then don't give up the a move cause if we need a half or a whole we'll do it and Ernie will know about it.

GIORGIO: Alright well that's what I want I want everybody to know about everything this way there's no problem.

MENGRONE: Unless lemme put it to you this way unless need be we'll avoid I'll just give him the money and I'll let him know where the hell it came from if you follow me because if we pull a half or a whole and he doesn't wanna, you know pay for it I gotta put you in a trick bag, and I don't wanna do that.

GIORGIO: I see that.

MENGRONE: You follow me.

GIORGIO: Yeah.

MENGRONE: This way we could do it, earn and then ah like a if er.

GIORGIO: (Inaudible) and then tell him about it.

MENGRONE: Huh

GIORGIO: In other words and then you know.

MENGRONE: Yeah, I give it to him I said er I made it I made a quick move, I couldn't reach you but here this is your share with Jimmy.

GIORGIO: Very good.

MENGRONE: But a the other way is gonna tell you it don't pay and I don't wanna that game.

GIORGIO: OK

MENGRONE: Cause I think that's gonna wind up being more of a problem than anything else.

GIORGIO: Very good.

MENGRONE: Ch--Can't do that but again that's what he's gonna push you for so as long as you know it.

GIORGIO: Alright.

MENGRONE: OK

GIORGIO: Oke Doke

MENGRONE: Be cool I'll talk to you later

GIORGIO: Right oh.

MENGRONE: Bye, bye.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 1, 1973 AT 9:21 P.M. THERE WAS AN INCOMING CALL TO (914) 668-0946 FROM ALBERT ROSSI TO PETER MENGRONE

Conversation No. 477 EXH. 8

MENGRONE: Hello.

ROSSI : Hello.

MENGRONE: Well.

ROSSI : What are we doin over here, today Saturday, tomorrow Sunday then comes

Monday.

MENGRONE: Yeah.

ROSSI: Eh I'm tryin' om om tellin this fuckin guy downtown, I'm tellin one thing, he's tellin me another thing, I'm callin you up your tellin one thing the other guys telling me another thing, I just got off the phone with E, I told this guy so well listen P I says you know a a you know gimme a gimme at least half, the thing that the money that cha got down there he says kid he says you tell or whatcha gonna do, now you wanna do another thing. He says it's not it's not Manhattan, he says if I go that he say I'm get all of it, I said well go get all of it, so we'll give you the rest of the money he says today Saturday, I say well Ed's supposed to have the money by tonight, I said, but if I

don't have it by tonight, I got people waitin now now were in a fuckin

shit bag over here Petie.

MENGRONE: Yeah, well just hang on, I'm not gonna see him 'til late tonight.

ROSSI : Are you gonna definitely see him (inaudible)

MENGRONE: I'm gonna down to the neighborhood tonight.

ROSSI : Oh they know that your gonna see him late tonight.

MENGRONE: I left word I would be down.

ROSSI : In other words he's in

MENGRONE: According to what I was told he was gonna be in by 9-9:30

ROSSI : But he knows that that

MENGRONE: Yes he, he got the message (inaudible)

ROSSI : Yet he was comin purposely back for you

MENGRONE: Right

ROSSI : So in other words by tonight or lets say tomorrow afternoon he should

have it for you.

MENGRONE: Eh right no problems there.

ROSSI : Alright what happen with Tony B?

MENGRONE: What happen with him?

ROSSI : Yeah did you get, did you pull any a that.

MENGRONE: No, no he didn't show last night, I sat at the club nobody was there.

ROSSI : Yea ah alright

ROSSI : I'm Upstate.

MENGRONE: OK well I ask a question.

ROSSI : What?

MENGRONE: Ah your man there didn't come in at all.

ROSSI : Who man?

MENGRONE: That ah the kid was 4-1/2 years old.

ROSSI : Oh the kid that kid is on his way.

MENGRONE: Oh cause I thought OK I coulda done somethin over the weekend.

ROSSI : The kid is on his way, I I played my part right to the "T" the kid is

on his way with that.

MENGRONE: OK well you have up above anyway right?

ROSSI : I'm up upstate yeah.

MENGRONE: OK I'll be home tomorrow morning, call me anytime from or whenever you

get up.

ROSSI : Alright well I'll call you tomorrow then you should have it though.

MENGRONE: Yeah we should.

ROSSI : Should should we have the money before Monday Peter?

MENGRONE: Definitely, definitely.

ROSSI : 100%

MENGRONE: Eh if it ain't I'm gonna wind up killin the Yamo OK

ROSSI : Alright, OK alright.

MENGRONE: (Inaudible) if you come down tomorrow for any reason.

ROSSI : Yeah.

MENGRONE: O.K.

ROSSI : Yeah.

MENGRONE: Gimme a call ahead a time because I wanna you know either talk to see

we could do something, because I goy you know, a lotta things happen

I haven't earned a dime.

ROSSI : See now you see I maddone

MENGRONE: Yeh go ahead talk.

ROSSI : Alright, O.K.

MENGRONE: The other guy says the guy says to sit

ROSSI : E

MENGRONE: Yeah right I said well that fine on his end except I have other you

know commitments on my end.

ROSSI : Me too, me too I just can't sit an wait for this.

MENGRONE: Well he's got a fresh head then.

ROSSI : Well God bless him, if he's got a fresh head, I just can't I mean I

want those S's very bad. I mean a a what I'm gonna aa. If this guy don't come in by Monday I'm gonna have a fuckin problem. We got a 32 and 13 a its fuckin money tied up that shouldn't be tied up.

MENGRONE: Thank you and that money even a little bit that I had.

ROSSI : Yeah.

MENGRONE: I could have used.

ROSSI : Used to juggle somewhere else.

MENGRONE: Thank you and earn and meanwhile.

ROSSI : Whatch do whatch do with the a the the what the doctor say you had

to drink the tea, for your cold

MENGRONE: Wait a see hold on 5, a now keep talkin

ROSSI : The doctor said a a what he prescribed a lemon and tea and honey, doctor

said for your cold you hadda drink tea.

MENGRONE: Yeah.

ROSSI : And honey.

MENGRONE: Right.

ROSSI : Did ja drink the tea.

MENGRONE: No.

ROSSI : Oh, it's still there.

MENGRONE: Right.

ROSSI : Alright I'll call you tomorrow.

MENGRONE: Wait, wait, wait, forget the tea is not here.

ROSSI : It ain't.

MENGRONE: No see fuckin hardon.

ROSSI : Nicky took it.

MENGRONE: And then put it someplace else.

ROSSI : Yeah.

MENGRONE: I had a move on it.

ROSSI : Wa I got it tell me whatcha need.

MENGRONE: Ah my God, have you got 20.

ROSSI : I got 200.

MENGRONE: Fongool a sorda (). OK but its gotta be

a 2 day wait.

ROSSI : I don't give a fuck if its a 3 day wait alright. Here's what I'll

do, I'll have 20 for you tomorrow.

MENGRONE: Ah do that ah

ROSSI : I'll have 20 for you 20-25 whatever the fuck it is.

MENGRONE: Whatever it is alright.

ROSSI : I give it to you tomorrow.

MENGRONE: Thats a definite.

ROSSI : And I'll call you tomorrow morning and I'll meet cha tomorrow afternoon.

MENGRONE: You got it.

ROSSI : O.K. babe.

MENGRONE: O.K. boy.

ROSSI : Alright.

MENGRONE: Bye, bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 5, 1973 AT 11:30 A.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS LEPORE TO MARY MENGRONE TAKING A MESSAGE FOR PETER MENGRONE

Conversation No. 612 EXH. 9

MENGRONE: Hello.

LEPORE : Hello, is Pete home.

MENGRONE: Ah who's calling, please.

LEPORE : Albie's friend, Louie.

MENGRONE: Albert's friend Louie? Ah Albert's friend Louie, he's in the shower

right now, can I take a number or something and have him call you

back.

LEPORE : No, just tell him I'll meet him in ah, in front of Jacks at 2 o'clock.

MENGRONE: O.K. wait a minute let me give him the message first and see if there's

LEPORE : Yeah.

MENGRONE: He said fine and he wants to know if you also have "Italian Suits"?

LEPORE : Ah, I don't know, I'll have to find out.

MENGRONE: You don't know, you'll find out?

LEPORE : Right.

MENGRONE: Hold on a minute.....Hello, ah he said 2 o'clock at Jacks, is fine.

LEPORE : O.K.

MENGRONE: O.K. Bye.

END OF CONVERSATION

SA 31

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 5, 1973 AT 9:17 P.M. THERE WAS AN INCOMING CALL AT (914) 668-0946 FROM ALBERT ROSSI TO PETER MENGRONE

Conversation #656 ·EXH 10

MENGRONE: Hello, Farenga.

ROSSI : Farenga.

MENGRONE: Farenga.

ROSSI : Oh, what are you a funeral parlor now.

MENGRONE: Yeah, right.

ROSSI : Who you talking to.

MENGRONE: Nobody, my wife.

ROSSI : What?

MENGRONE: My wife.

ROSSI : The phone was busy.

MENGRONE: When?

ROSSI : Ah, 15-20 minutes ago.

MENGRONE: Oh, yeah, well I do get calls (laugh).

ROSSI : Oh, okay.

MENGRONE: Ah.

ROSSI : Did you call up that a guy.

MENGRONE: A 10 o'clock at his place.

ROSSI : Uh, at the designated spot.

MENGRONE: Excuse me.

ROSSI : The, the place you told me 10 o'clock, where we're gonna be.

MENGRONE: Right.

ROSSI : Over there, I mean did you call up the other guy to see if you could

get that thing for that guy.

MENGRONE: Ah, he can't.

ROSSI : He can't.

MENGRONE: Freehole is playing softball at Haverstraw.

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ROSSI : A, a, the mustache.

MENGRONE: Yeah, it must be nice to be a you know, independently poor that they

go out every night playing softball.

ROSSI : How about the little guy, Squintee my friend.

MENGRONE: He had called, lemme see, Ecnie, Ernie, he will call back 8 o'clock.

ROSSI : He never called?

MENGRONE: Of course not, you know, he makes one call a week, I guess I'll have

to send him a dime.

ROSSI : Yeah, alright listen to me Peter.

MENGRONE: Speak to me.

ROSSI : Ah, make sure a, I'm in the restaurant, now.

MENGRONE: You're eating.

ROSSI : Yeah, I'm with that guy from down below.

MENGRONE: Um huh.

ROSSI : And I told him everything exactly what happened to the T.

MENGRONE: Right.

ROSSI : You know, now a lets make sure all our eggs are in the right basket.

MENGRONE: Um huh.

ROSSI : That's what he told me, he says, well I'll tell ya when I see ya,

10 o'clock.

MENGRONE: Yeah, well.

ROSSI : A we won't have any problems, everything be okay.

MENGRONE: Sounds dynamite.

ROSSI : All the way.

MENGRONE: That's the truth, I'd go to Florida with you, what are you kidding me.

ROSSI : Yeah, we'll go.

MENGRONE: Shit.

ROSSI : We'll go.

MENGRONE: We'll open up a joint up there, if you want you go below, and I'll run

it here.

ROSSI : Yeah, that's what I wanna do.

MENGRONE: I send ya check every week.

ROSSI : Yeah, alright.

MENGRONE: A, you can't do nothin for this guy then, ha.

ROSSI : I called 2 or 3 different people an nobody was there.

MENGRONE: This is wild ain't it.

ROSSI : I figure I can get something on the are, but nobody's there.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973 AT 10:35 A.M. THERE WAS AN INCOMING CALL TO (914) 668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE

CONVERSATION #716 EXH 11

CORALLUZZO: Hello.

MENGRONE : Yeah.

CORALLUZZO: Yeah.

MENGRONE : What's happening?

CORALLUZZO: No, what's happening with you.

MENGRONE : Nothin ah, whose is called, the kid?

CORALLUZZO: Yeah.

MENGRONE : And ah, ya know he's got it in his mind ya know, that he's goin

to his mothers and ah I should drop it there, etc.

MENGRONE : Hello.

CORALLUZZO: Yeah.

MENGRONE : I don't believe I got a dial tone on this phone.

(telephone interfering with a third party-non pert)

CORALLUZZO: Hello.

MENGRONE : Yeah, OK long story short now you, you have a lunch meeting?

CORALLUZZO: He called you when.

MENGRONE: Ah-it started at 6:30 this morning, he had that moron call me, this

is like.

CORALLUZZO: Who.

MENGRONE : Guess.

CORALLUZZO: That big prick.

MENGRONE : Yeah, he gives him my telephone number, OK, ta tell me that ah, he

would get to me later on that he was going ah, he was down at Mulberry St. or some shit, which ya know is strictly bullshit anyway, but he

called.

CORALLUZZO: Well, forget all that bullshit, did you hear from your man?

MENGRONE : No, no he said he'd call me today.

CORALLUZZO: And what about the other thing for 10 o'clock this morning.

MENGRONE : Nicky's handling that right now.

CORALLUZZO: You got the bread - Hello.

MENGRONE : Hello.

CORALLUZZO: You got the money.

MENGRONE: Nothing was done, Nicky's handling the whole thing, they will hand it to him and then he'd give him the package period.

CORALLUZZO: And what is he gonna do then, Nicky.

MENGRONE ; He's coming to me.

CORALLUZZO: Alright so you sit there.

MENGRONE : This way he can.

CORALLUZZO: You'll hear from me.

MENGRONE : This way he can use my car, ya know for the rest of the day, whatever

ya have to do.

CORALLUZZO: Alright, you make him sit there too.

MENGRONE : Well they orta move, no hell stay with me.

CORALLUZZO: Ah cause I'll be up there, I'll be up there before my appointment

I'm leaving here in a little while, I'll call ya when I get in the

Bronx.

MENGRONE : OK I did the right thing by the way as far as lettin him earn the

5 right.

CORALLUZZO: Yeah.

MENGRONE : He's gotta have the car so I mean ah.

CORALLUZZO: Yeah, no that's alright.

MENGRONE : OK

CORALLUZZO: Yea

MENGRONE : You call me when you get to the Bronx.

CORALLUZZO: Alright, bye.

MENGRONE : Bye, bye.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973 AT 12:13 P. M. THERE WAS AN OUTGOING CALL TO 212-931-7891 FROM PETER MENGROME TO DOMINICK GIORGIO AND ALBERT ROSSI

Conversation #727 FXH 12

GIORGIO : Hello.

MENGRONE: Peek a boo...I'm back.

GIORGIO : Hello.

MENGRONE : Hello.

GIORGIO : Yeah.

MENGRONE: Your supposta say good morning.

GIORGIO: Who's this.

MENGRONE: Me you freehole...you just finished yelling at me.

GIORGIO : Oh.

MENGRONE : Ok...er...I spoke to the YOM, ok.

GIORGIO: Wait a minute, I'm a little rough hearing on the phone.

MENGRONE : Ok...er...I spoke to my men at the office...ok.

GIORGIO : Yeah.

MENGRONE: On their way to the bank...this way they can buy the trucks

you know...get back to me in a little while as soon as he's ready to come up here...ok...so we're in motion there...now

listen to me.

GIORGIO : Yeah.

MENGRONE: Do you recall yesterday or the other day when you and I took

a ride.

GIORGIO : Yeah.

MENGRONE : And we met some guys there with the....

GIORGIO: Tell you what...wait awhile, let me get on the other phone.

MENGRONE: Yeah, do that.

GIORGIO: (Inaudible)...pause...wait, Al's getting on the other phone,

this phone down here is bad you knower, he can't hear you.

MENGRONE : Ok.

ROSSI : I got it, hang up...hello.

MENGRONE : Hello there...ok...spoke to Morris, Gentlemans on it...hello

there, can you hear me?

ROSSI : I'm here.

MENGRONE: Yeah.

ROSSI : I want you to understand my pridicament.

MENGRONE: I'm well aware of it.

ROSSI : There's a quy... (inaudible)...there's a quy I just went to see

my sister...the guy from downtown, right?

MENGRONE: Right.

ROSSI : I said no problem...you know...I... (inaudible).

MENGRONE: There is none though, but the point is.

ROSSI : (Inaudible)...no problem, says just checking everything out,

you know and being careful I said it'll be about an other hour and a half...you know...I told the guy 11 o'clock sharp. You were doing what you had to do...understand me...so what I'm doing I'm putting myself on front street again...I'm lying to this guy...you understand me what I'm trying to say...ah...

ah...to you Peter.

MENGRONE: (inaudible)...can I say something.

ROSSI : Yeah, go ahead.

MENGRONE: When you were with me, he said...

ROSSI : I know I was with ya... (inaudible)....

MENGRONE: I'll get you in the morning and...

ROSSI : (Inaudible)...right, they said in the morning...don't worry

about it...100 per cent.

MENGRONE: Ok...now I just spoke to them...he went over to the bank, then

he'll call me when hes leaving there to meet me where we

already set it up.

.4

ROSSI : All right...let me...let me.

MENGRONE: So, I'm set there.

ROSSI : Let me go back to this guy and tell him another hour and

a half.

MENGRONE: Ok...well, you listen to me though...please...ok...

ROSSI : Go ahead.

MENGRONE: I just spoke to the spic.

ROSSI : Yeah.

MENGRONE: Ok... I have a one o'clock meeting.

ROSSI : Yeah.

MENGRONE: So if you want, set it up with Louie...I'll talk to Louie,

I'm gonna let Nicky do it.

ROSSI : Who Nicky?

MENGRONE: I'll let, er...you know...with the moustache.

ROSSI : (Inaudible)...would the other guy be here before one o'clock?

MENGROVE : I doubt it ... I doubt it.

ROSSI : Well, then put...put the spic off till after the other guy

comes.

MENGRONE: I can't, I just... (inaudible).

ROSSI : (Inaudible)...thats what your gonna have to do Peter because

I'm not gonna go through this other guy and get the other thing until I...until he sees that everything is ok...otherwise we got a problem over here Peter...God, I got Bobby

standing by ... I got Louie standing by.

MENGRONE: Al.

ROSSI : I got Louie's brother.

MENGRONE : Al.

ROSSI : Go ahead.

MENGRONE: The guy...hes in the street, hung up to confirm the one

o'clock thing... I told you this morning.

ROSSI : Let him wait...go meet him at one and tell him its gonna

be for three o'clock Peter.

. ..

Al, but thats the fifth time I'll lose him. MENGRONE

(inaudible) ... Peter, you gotta, you don't understand my ROSSI predicament ... Peter his thing is over there with the other one and a half things and eh... I'm not gonna say give me

the half and then... (inaudible)....

Al, I taught... I taught you had it... I'm just gonna tell MENGRONE

him... (inaudible).

No... (inaudible)... ROSSI

I gotta. MENGRONE

(Inaudible)...listen to me, the guy is sitting in a car ... ROSSI

sitting in a car in the Bronx...thats why I want you to come over here, I told him there is no problem, you understand me... I said theres no problem, don't worry about nothing... I said the morning appointment, cause I didn't

sleep all night.

Wasn't this...wasn't this half yours that you had put away MENGRONE

for me...that you were gonna give me the other night.

(Inaudible)...it was with, the everything else, Peter I got ROSSI

it but somebodys holding it...the people... (inaudible)...

You should have...you should have told me because now I... MEN CRONE : .

I...

(inaudible)... I told you this Peter, I said... ROSSI

Well I spoke to you this morning, I told you I was setting MENGRONE

up a one o'clock appointment definitely.

Peter, when I left you at the bar that night, remember I ROSSI :

said, O'm going down Mott Street.

And then you would call me. MENGRONE

... remember I said, if... if I see them, I'm not gonna be ROSSI :

able to keep it... I'll get it and come and bring it to you

right.

Right. MENGRONE

(Inaudible)... I didn't have it...that it was in my house... ROSSI

it was in my possession I...its available to me, I got it ... don't misinterpret me, but its not that I got it that I'm just gonna go take it, you understand...what I'm trying to say...now there's one, come over here, take a ride over

here, what time you gotta meet them.

. 14

MENGRONE: (Inaudible)...obviously I can't leave here, If they're calling me here.

ROSSI : (Inaudible)... you stay there, tell Nicky to go meet Eddie, tell Nicky to make Eddie wait, tell Nicky to come and see

me and I'll tell Nicky exactly what to tell Eddie.

MENGRONE : Ok.

ROSSI : Ok.

MEN CRONE : Very good.

ROSSI : All right.

Conversation is Terminated.

4

THE PROSECUTION CONTINUS THAT ON SIFTEIBER 7, 1973 AT 12:36 P. M. THEFE WAS AT ENCOMING CALL TO 914-665-9946 UTOM LINEST COPALATION OF MARY PRESCRIPTIONS AND PRINTER MERCYCOLS

Conversation 7732 EXH 13

MARY MINGRONE : Hello, hello.

CORALIUZZO : Hello... I got the wrong number again.

MARY MENGRONE : Why, who did you want?

CORALLUZZO : Peter.

MARY MENGROWE: What?

CORALLUZZO : Peter.

MARY MENGRONE : Hold on ... whose calling?

CORNLLUZZO : It's Ernie... I just called... I got a woman sounded just like

you...said I had the wrong number.

MARY MAIGRONE : No, its...its me...hold on for a minute lamic.

CORALLUZZO : Ok.

PETER MENGRONE: Yeah.

CORALLUZZO : Hello.

PLITER MENGRONE: Hello there.

CORALLUZZO : What's up... Mick on his way up to you?

PETER MEMCIONE: Hes wit me.

CORALLUZZO : Oh, youse ah leavin

PETER MENGRONE : Huh?

CORALLUZZO: You got an appointment or what?

PETER ISLICION: I ... I can't keep the appointment... I cotta blow the cuy... I

gotta blow him away... I set it all for 1 o'clock...ya how....

CORALLUZZO: Yeah.

PETER MENGRONE: I'm talkin about...ya know...the spic.

CORALLUZZO: Yeah.

PETER MENGRONE: And, I'm just gonna go tell him all forget about it...we

can't nothin.

CORALLUZZO: I'm talking about the other guy.

PETER MENGRONE: Ah, I spoke to ah, Morris.

CORALLUZZO : Yeah.

PETER MENGRONE: Ah, on their way to the bank to get the money so they can

buy the trucks...will get back to me as soon as they leave

the bank.

CORALLUZZO : Uh huh.

PETER MENGRONE: This other...ah, head case, like every twenty minutes calls...

va know...and in fact, I told Louie off...ya know.

CORALLUZZO: Well, ah...listen to me...just tell him wa...wa...just tell

him....

PETER MENGRONE: Ah, I was waiting for you to come here because I figured if

you were here, you'd talk to ah...because this is absurd.

CORALLUZZO : Right.

PETER MENGRONE: Nobody told him to do nothing...he was just told the guy gets

CORALLUZZO: You tell him to call me in one hour in Dominicks and not to

call ya no more...don't even let you wife answer the phone,

tell him...ah...just leave the message...call Ernie at Dominicks

at 1:30...I'll be there.

PETER MENGRONE: Ya, yeach, cause Louie...ah...told off I said.

CORALLUZZO: You call me there if you hear something.

PETER MENGRONE : Oh.

CORALIUZZO: If I'm leavin there, I'll call you.

PETER MENGRONE : Ok...I'm....

CORALLUZZO: If you wanna send Nicky down to an let him keep in touch with

ya, its just as good then when you're ready to go, we'll both

come up an pick ya up.

PETER MENGRONE: Yeah...well, what I gotta do is send Nicky to see the guy

Eddie.

CORALLUZZO : All right...do it.

PETER MENGRONE: And tell him that who...where...ah....

CORALLUZZO : All right, do it that....

PETER MENGRONE: That we're "psycos" and that there's no way we can nothin.

CORALLUZZO: You tell head case to call me at 1:30.

PETER MENGRONE ': Ok.

CORALIUZZO : And thats it.

PETER MENGRONE: Ok, is that his.

CORALLUZZO : (Inaudible)

PETER MENGRONE: Hes at his mothers, because hes....

CORALLUZZO : Hes at his mothers?

PETER MENGRONE: Yeah...see hes lookin for me to give it ta him.

CORALLUZZO : Lemmie call him up and I'll call ya right back.

PETER MENGRONE: Ok...bye...bye.

CORALLUZZO : Bye.

Conversation Terminated

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973, AT 12:42 PM, THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO MARY MENGRONE AND PETER MENGRONE.

CONVERSATION: #733

EXH 1/1

MARY MENGRONE:

Hello?

CORALLUZZO:

Hello, Peter please.

Mary MENGRONE:

Yes peter please.

PETER MENGRONE:

She thinks this is very funny, shes got a fresh head ah.

CORALLUZZO:

I just spoke to him.

PETER MENGRONE:

Right.

CORALLUZZO:

An I told him not to bother you no more, He says well ah if you know whats going on ya better come up, I says look this is me ya talking too, ya know what I mean, so ah I,m gonna go up there.

PETER MENGRONE:

Yeah cause ah, he tells me if ya don't hear from him by 12 o'clock call im, which I, ya know, planned on doing.

CORALLUZZO:

Peter just tell im one thing, tell im look...

PETER MENGRONE:

He's not getting the money, without you period.

CORALLUZZO:

It's not the idea ah the money, it's stop these fuckin phone calls.

PETER MENGRONE:

Yeah well thats ah....

CORALLUZZO:

Tell im look theres no need for these phone calls --- inaudible --- I just told im, I,11 know everything by 3 o'clock, stand by his mothers and thats

it.

PETER MENGRONE:

Yeah cause I told.

CORALLUZZO:

When he calls you say lemmie speak to Ernie an you get indignant with him.

PETER MENGRONE:

I got indignant with Louie, I told him off, I said what are you a fuckin moron, I said I tell ya I,m callin the guy at 12 o'clock you call me at a quarter to 12 ta find out whats happened, I mean ya know ya 15 minutes aheada me a rent ya, he says yeah ya shouldn't yell at me, I said well if ya don't act like a fool I wouldn't yell so with the.

CORALLUZZO:

Which Louie?

PETER MENGRONE:

Heh.

CORALLUZZO:

Which Louie?

PETER MENGRONE:

Lepore

CORALLUZZO:

Fuckin hardon.

SA lile

PETER MENGRONE:

I mean ya know ah....

CORALLUZZO:

Alright what are ya gonna ta do, your waitin for his call right?

PETER MENGRONE:

I got, I gotta set here, and then I'll send ah, Nicky over to tell

the spic that ya know, unless you could do something.

CORALLUZZO:

No ah, lets go, lets one other time I don't wana get confused. I'll

call you back at 1:30.

PETER MENGRONE:

Ok, I'll be here.

CORALLUZZO:

Alright, Pete, if ya need anything I'll be uptown than I'm still in

this fuckin dungeon here.

PETER MENGRONE:

Still at Gimbels Jesus Christ.

CORALLUZZO:

--Inaudible--

PETER MENGRONE:

Ok, I'll talk ta ya later.

END OF CONVERSATION CALL # 733.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973 AT 1:45 PM. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ROBERT BROWNING TO PETER MENGRONE

Conversation #741 EXH 15

BROWNING: This is a Bobby Alberts cousin.

MENGRONE: A Bobby Alberts cousin.

BROWNING: Yeah, did a this is Peter right?

MENGRONE: Right.

BROWNING: A whos got that thing for us that we gotta give em wh

Albert to see Zingy and a Ernie and Nicky who has the money

that we gotta give the thing ta.

MENGRONE: Ach you got, you got me now whos this Gooch

BROWNING: Huh, yeah Gooch

MENGRONE: Now Albert went where?

BROWNING: He went to meet a whats his name Errie and and them right.

MENGRONE: Right.

BROWNING: Now a he told me to call up and find out cause hes a hes

bringing the thing with him and he wants to know who has

the money.

MENGRONE: All Albert has to do is meet Ernie, Albert was told to stay

off the phones, I have a very bad phone and this is like its

gotten to the point now its absurd.

BROWNING: Alright.

MENGRONE: I'm waiting here for them to call me (stutter) that why I'm

sitting on the phone.

BROWNING: Okay.

MENGRONE: But Albert isn't going to be with Ernie, Ernies handling

everything from his end.

BROWNING: Right.

MENGRONE: Did he meet Ernie or he didn't?

* BROWNING: Yeah, hes went he went to see him that's where he

went to go.

MENGRONE: Yeah, well.

BROWNING: But he told me to call you so I don't know I, I'm

supposed to call him.

MENGRONE: (Laugh) He's a treat.

BROWNING: Alright, I'll see you Peter.

MENGRONE: Okay Bobby, be good brother.

BROWNING: Take care, bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973, AT 2:15 PM. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ALBERT ROSSI TO PETER MENGRONE.

Conversation #743 EXH 16

MENGRONE:

Hello.

ROSSI:

Hello Pete.

MENGRONE:

Yeah.

ROSSI:

TellErnie I just got to my mothers, tell everybody left tell him to come here I'm waiting. I'm gonna tell you something Peter, I'm gonna tell it to your face their's gonna be a big fucking problem over here you know what I mean to say, you wanna shift the weight all the way around but now I'm telling you theirs a . . .

MENGRONE:

I don't think anybody hard he ain't here he paid, he was gonna meet you direct.

ROSSI:

He gonna meet me well I just want you to know something theirs gonna be a big problem and theirs large large people involved over here you understand me and I'm not going to get wacked for nobody, I'm telling you right now.

MENGRONE:

Well nobody has to now listen to me I put the pick off till three fifteen. I'm still sitting here waiting for the yom to get here, okay?

ROSSI:

(Stutter) I don't understand what your doing Peter, (stutter) what is Ernie doing over here I don't understand who's running the boat.

MENGRONE:

Ernie, Ernie has . . .

ROSSI:

(Inaudible) I have a big problem over here or you wanna come over here and see what the problem is.

MENGRONE:

(Inaudible)

ROSSI:

Maybe you wanna see it in black and white I mean if you wanna see it in black and white, (stutter) I'll cut em all up (stutter) we'll have a powder party of a with with (inaudible).

MENGRONE:

Albert, Albert.

ROSSI:

I'm going crazy over here.

MENGRONE:

Just relax Albert, Okay on my end. I'm waiting for

the call to go meet em that's all.

ROSSI:

Well who do you, I don't understand what is Ernie coming here and telling me one thing and this their's a guy went to get the money and the I don't understand whats going on.

MENGRONE:

I'm sitting here with Nicky like I was told to do.

ROSSI:

Inaudible.

MENGRONE:

I was told I was told to sit here with Nicky period that exactly what I'm doing.

ROSSI:

With Nicky huh.

MENGRONE:

I got em sitting here Ernie didn't come here Ernie was coming from Gimbels he says I'm gonna see Albert I'll call you.

ROSSI:

Yeah, well tell Ernie I'm back at my mothers.

MENGRONE:

Your at your mothers.

ROSSI:

Yeah.

MENGRONE:

Well how am I gonna tell em he aint here.

ROSSI:

What?

MENGRONE:

He isn't here he hasn't been here, he was at Gimbels.

ROSSI:

He's in Gimbels.

MENGRONE:

He was at Gimbels was leaving there to go see you.

ROSSI:

He just left my mothers house I just missed him.

MENGRONE:

Oh for Christ sakes.

ROSSI:

I, I only got two guys from Mulberry Street that that are looking to take, they want me to go downtown right now.

MENGRONE:

Okay juat.

ROSSI:

They want me to go.

. . .

MENGRONE:

Sit there.

ROSSI:

Downtown right now Peter.

MENGRONE:

Fifteen minutes I'll come down myself.

ROSSI:

Yeah alright.

MENGRONE:

Just sit there, I'll come down this way if anybodys gonna be the hook I'll go on it.

ROSSI:

(Inaudible) If nothing happens come here right away.

MENGRONE:

Okay, bye, bye.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1975 THERE WAS AN INCOMING CALL TO 914-668-0946 FROM DOMINICK GIORGIO TO ALBERT ROSS AND PETER MENGRONE

Conversation #752 EXH 17

ROSSI:

Hello.

GIORGIO:

Yeah, it's Nicky.

ROSSI:

Nicky.

GIORGIO:

Yeah.

ROSSI:

Yeah, I am here.

GIORGIO:

Oh my goodness.

ROSSI:

I am here, come here immediately.

GIORGIO:

Al, this guys going to be calling this er phone number

at a quarter after three.

ROSSI:

Well, er I am gonna stay on the phone, come here right

now. Oh calling you up?

GIORGIO:

Yeah.

ROSSI:

Where you are?

GIORGIO:

Yeah.

ROSSI:

Who, the, the, the dark guy.

GIORGIO:

Yeah.

ROSSI:

I thought he was calling up here Peter said.

GIORGIO:

No yeah, well that guy is, the other guy is, a lighter

guy.

ROSSI:

Oh and the, is he ready.

GIORGIO:

Yeah.

ROSSI:

Go get the money, right now. Peter, tell your man to

go and get the money. Here, tell em to see the money

again.

MENGRONE:

Hello.

GIORGIO:

Yes.

MENGRONE:

He wants you to see the money again. Which is both set up an appointment for Eddie for three thirty.

GIORGIO:

Right, okay.

MENGRONE:

Tell Eddie to be there three thirty, he'll have the goods.

GIORGIO:

Okay.

MENGRONE:

Okay.

GIORGIO:

Fine.

MENGRONE:

Bye, bye.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973 AT 6:40 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE

Conversation #772 EXH 18

CORALLUZZO: Hello, may I speak to Peter please?

MENGRONE : Who's calling?

CORALLUZZO: 'Ernie.

MENGRONE : Hold on a moment.

MENGRONE : Hello there.

CORALLUZZO: Yea.

MENGRONE : Where are ya? Above, down em.

CORALLUZZO: How am I? I mean.

MENGRONE : Where are you, I said, not how are you?

CORALLUZZO: I'm at Nicky's.

MENGRONE : O.K.

CORALLUZZO: I gotta start going to houses, I can't be using the phone no more.

MENGRONE : Well, come here. That's I would say that's the best place.

CORALLUZZO: Are you ready?

MENGRONE : Huh yeah.

CORALLUZZO: Wha, what did this come up there for today?

MENGRONE : Wha, what do you think to carry on the people are waiting the whole

schtick but if you come I rather tell you in person this way you

know what the hells going on.

CORALLUZZO: Peter I'm not (stutter) are you ready or what are they ready did you

see them?

MENGRONE : Everybody is ready everything is ago.

CORALLUZZO: Yeah.

MENGRONE: But like you said not there's six hundred people involved I can't

understand this cause this is why I want to talk to you, the phone never stopped even after you called em would you believe it including

well I don't want to give names over the phone.

CORALLUZZO: But (stutter) you never listen to me Peter you never listen to me and I'm gonna tell you for the last time you gonna listen to what

I tell you if I come up there.

MENGRONE : Yeah.

CORALLUZZO: OK (inaudible)

. .

MENGRONE : OK bye, bye.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973 AT 7:50 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS LEPORE TO PETER MENGRONE

Conversation #775 EXH 19

LEPORE : Pete

0

MENGRONE: Speaking.

LEPORE : Louie.

MENGRONE: Yeah, Louie how we doing?

LEPORE : Alright, no Albert told me to call you.

MENGRONE: Right.

He'll (inaudible) call you later he says we're downtown a down here LEPORE :

with these fucking people.

MENGRONE: Right.

So we got a little bit of a problem you know now on our end you know LEPORE :

with them.

MENGRONE: Right.

(Inaudible) he told me to call you don't, don't worry about nothing LEPORE :

he'll call you later.

MENGRONE: Oh.

LEPORE : Just sit tight.

MENGRONE: Well explain something, OK

LEPORE : Huh

MENGRONE: You told me to have one guy ready at nine the other guys gonna be

up here at ten with the car and all.

LEPORE : Right.

You follow me and its not like I can reach either one of them I have MENGRONE:

to there and Ernie just stormed outa here.

LEPORE : He just, why?

MENGRONE: Why?

LEPORE : Yeah.

MENGRONE: OK so yous do me a favor make him out a liar OK and afterwards 1'11 tell you why.

LEPORE : Yeah.

MENGRONE: Because what was just said here I dion't like but I'm going along with you and Albert.

LEPORE: Well what he said here de didn't like because a, because a you know (stutter) there's something wrong you know somewhere something's wrong here you know because did you notice the money that they gave you.

MENGRONE: With who?

LEPORE : The money you gave us.

MENGRONE: Yeah.

LEPORE : Did you notice it was all garbage money huh?

MENGRONE: Well you know I, I, I

LEPORE : They didn't go to no bank to get that money.

MENGRONE: No a he didn't.

LEPORE : You know that.

MENGRONE: But you know what he's got sitting from the bank.

LEPORE : Huh.

MENGRONE: He's got two hundred thousand sitting from the bank in the plastic bags.

LEPORE : Alright, ah

MENGRONE: Cause this is, this is what he's

LEPORE : I'm down here now you see I'm get I'm getting my ears chewed out

MENGRONE: Um, he's done this before, by the way he gives me money which you know they package at ten thousand each

LEPORE : Yeah

MENGRONE: In those plastic things in a nice box he just hands over an attache case when its big money this was the money that he had put aside like the box's so forth.

LEPORE : Alright.

MENGRONE: And he gave us the figure he had ready to go this is why it could be done like you know eleven, twelve, one o'clock tonite the point is up to to you now.

LEPORE : Right.

MENGRONE: But a

LEPORE : You sit tight you sit in the house and a I'll get back to you

MENGRONE: Any idea what time?

LEPORE : A before ten.

MENGRONE: Before ten.

LEPORE : Right.

MENGRONE: OK, Louie do me a favor.

LEPORE : What?

MENGRONE: If you can't swing it by nine so I could take care of this spick.

LEPORE : Well that's why I was down here now.

MENGRONE: OK cause a

LEPORE : (Inaudible) was something up there right.

MENGRONE: Whadda you mean?

LEPORE : See we had something before right.

MENGRONE: Right.

LEPORE : So what happened to the guy blew his fuckin top and one on the guys

that was there they made him take it back.

MENGRONE: Right.

LEPORE : So now we gotta go down now you know we're down here to straighten it

out again because this guy thought we were jerking him off well you

understand.

MENGRONE: Well that's

LEPORE : The whole problem.

MENGRONE: Well when I see you I'll sit down and tell you just what went on up

here you know.

LEPORE : Yeah well that's what we gotta do

MENGRONE: Well

LEPORE : That's what we gotta do.

Just do me. MENGRONE:

LEPORE : OK

MENGRONE: Just don't hang me up.

No. LEPORE :

MENGRONE: With the yom because its that important, OK

LEPORE : Right.

The rest of it's sitting there and I hate to see us blow another two MENGRONE:

(Inaudible) don't worry, don't worry bout that there's a there's no LEPORE :

shady deal here don't worry about that bullshit.

Louie I take you at your word the other guy just said the opposite OK MENGRONE:

LEPORE : (Inaudible) I don't stand for that

MENGRONE: OK

LEPORE : OK

MENGRONE: I'll wait here bye, bye

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 8, 1973 AT 7:55 P.M. THERE WAS AN OUTGOING CALL TO 212-798-7506 FROM PETER MENGRONE TO LOUIS GUERRA.

Conversation #823 EXH 20

GUERRA : Yeah, hello.

MENGRONE: Louie, Pete.

GUERRA : Yeah, Peter.

MENGRONE: Would you like to fill me in on what's happening now or what?

GUERRA : Haven't heard from anybody.

MENGRONE: OK well..

GUERRA: They didn't get in touch with you today.

MENGRONE: No I did what I had to do, and obviously your leaving me out on the limb. So like er I spoke to my uncle. There going down to the club so er like er by 12 o'clock tonight they expect to see the kid I am not giving anybody up to the yom or nothing lets face it I, I ain't going out on a limb.

GUERRA: (Inaudible) They must be downtown, you know what they're trying to do now, they're probably trying to get the okay to do it with cash what er did the mully say, did you talk to him at all?

MENGRONE: Long story short.

GUERRA : There not (inaudible) ...

MENGRONE: Anytime today they would have sat and talked he would have sat and talked to the guy head to head without a problem all this kid has done is made me out to be another liar, now once I got my uncle involved and I get good people involved I mean like you know er

GUERRA: Well I am waiting to hear from them, I spoke to them I spoke to them they 2 o'clock they well still at the motel they were supposed to be in New York at 2 o'clock.

MENGRONE: Well he's not using the (inaudible)

1. 1. 18 a. 4

GUERRA: I tried to call him back after I woke him up, I tried to call him back.

MENGRONE: He had a one o'clock appointment with me, remember you sat there.

GUERRA : Yeah.

MENGRONE: One o'clock we'll meet the man, the man was there one o'clock, I took him out to lunch, had his wife with him. I told him you know what had happened, the fact that you know they weren't so sure you were strong enough backing. The guy says are they fucking wild I have a half a million waiting.

GUERRA: I hope they didn't get that downtown talking I they're, they're e alright too. I didn't tell you, I didn't tell you the truth, they're in a lot of trouble.

MENGRONE: There's no reason for any trouble.

GUERRA : What?

MENGRONE: There's no reason for any trouble cause I'm gonna lay it on you OK, the original thing with Ernie?

GUERRA : Yeah?

MENGRONE: Called for 5 OK.

GUERRA : Well yeah.

MENGRONE: And that was the money that was to start off that was the key and a half you know.

GUERRA : Yeah.

MENGRONE: And then he looks and says dynamite but take whatever was there, no time limits no nothing. Whatever Albert decided to you know.

GUERRA: Inaudible Talk to them downtown, he's gotta get that straightened out to downtown then.

GRONE: Because I asked this guy right to his face.

GUERRA: Inaudible You know when I first heard about all this.

MENGRONE: Go ahead.

GUERRA: The story about this deal was this morning, yesterday morning rather that was the first. Yesterday afternoon as a matter of fact at 12:30 I first heard this was all going on.

MENGRONE: All I know is like you said I cannot last. I don't know what you had in mind but I told you like you know it don't bother me because if I gotta go I take a lot of people with me. But that's not the point, we had a nice here for a legitimate, super move.

GUERRA : Inaudible It may not be dead yet.

MENGRONE: Well.

GUERRA : It may not be dead yet.

MENGRONE: I gotta see.

GUERRA: There's no way I can reach... I call them at the other place I know.. at er, I know the 30 is still good. The other money I don't know what how you gonna - inaudible.

MENGRONE: There's no problem I spoke to the other gentleman, the money is available whenever I want it.

GUERRA : Alright.

MENGRONE: And I'm just saying that, the point was even it today if I could have just shown him. All I'm saying is if I get my uncle involved it becomes like we did like three or four months ago with the other gentleman from Staten Island that's uncalled for.

GUERRA : Yeah I don't even know about that one.

MENGRONE: The er you know Frankie.

GUERRA : Yeah well I

MENGRONE: Well this is like.

GUERRA: Yeah well when I heard about that, you know when I heard about that one. The only time they call me is when they gotta bring out the guns.

MENGRONE: Yeah.

GUERRA: When, when they had Big Jimmy in the up over on 69 Street or something like that, they were holding him in a hotel, there that's when they call me. We got trouble, the only time I hear from them, when we got trouble.

MENGRONE: This was something that inaudible... that would get you out on your end, I knew how much I had to get....

GUERRA : I called that guy up twice in California, nobody could find him.

MENGRONE: I just can't figure this kid out, this kid here had a chance and I told Louie the same thing.

GUERRA: He wanted to do it, so I'm sitting, I'm listening, you talk to him and him talking..... they goz...., everything is all fouled up, nobody sat down.... number one I know Ernie didn't want to do anything right, I know that.

MENGRONE: Because Ernie felt it was his show to run and originally it was but the point is

GUERRA: No, no, no, Ernie didn't want to pull any goods - believe me Pete when I tell you that - he don't want to pull any goods.

MENGRONE: Wel; the point is, at this stage of the game, with laws being what they are.....

GUERRA : There's no way I can reach him, now where can I reach you.

MENGRONE: I will stay here till a quarter to twelve then I have to meet my uncle and

GUERRA : Alright what's your number?

MENGRONE: OK (914) 668-0946.

GUERRA : As soon as I hear from him, I'll make sure.....

MENGRONE: If you weren't there, that's the funny part, if you weren't there to

listen to make a one o'clock appointment with me.....

GUERRA : Yeah, I know.

MENGRONE: Then the guy can say I'm wrong, I had to meet this guy at one.

GUERRA : I thought it was two o'clock, but even that makes no difference.

MENGRONE: I was back in the house at 2----

GUERRA : Say 8 o'clock now - so whether it was one o'clock or two o'clock is

immaterial.

MENGRONE: I put the yom off till tomorrow night - I gotta see my uncle at a quarter

GUERRA : This guy's got the patience of a saint.

MENGRONE: Ah, he trusts me that much OK but I'll tell you something, if you

think the other one in Staten Island is a head case, wait till you see this one in action OK I've seen this guy, mad man. "Munse" has

nothing on him.

GUERRA : It's not even him we got to worry about.

MENGRONE: Thank you.

GUERRA: (Inaudible) OK you mean for you?

MENGRONE: Well not only for me, he met the other guy.

GUERRA : Yea.

MENGRONE: Albert sat and talked twice, told him who he was and everything, OK

GUERRA : Al... I'm gonna tell you this right now - Al is breaking his hump tell

get this thing together, he's just, just lousy with time, that's what

got this thing all

MENGRONE: Well I spoke to Louie.

GUERRA : Al's in a lot of trouble, Al's in the middle, he's in a crossfire.

MENGRONE: I spoke to Louie, I said Louie, Louie, work is out, time right and

everything like get everything down pat so we have no problems he says don't worry, I'll be handling it - now once Albert gets in and know it became a circus, there was no 11 o'clock appointment the man says, I'll call you Friday and meet you - he always calls me before 6 o'clock, its been this way for 6 weeks. They were in the house, he called 3:15 ten

minutes later we had out stuff in our hands.

GUERRA: (Inaudible) if you can get that money back from the other kid - the 20- the 30 will come back but the shame of it is, we're not gonna make any money.

MENGRONE: Well the shame of it is, I'm gonna lose this guy a on account which is a super thing.

GUERRA : I am not talking about losing an account, I am talking about losing lives.

MENGRONE: Yea this kid downtown, if he wanted to go downtown I was downtown about 3 or 4 days ago with him, bring him here, let me sit with the man and siy exactly who I've got and what I can do fine let me tell you something, nobody mentioned.

GUERRA: My head's never been spinning so much (inaudible)

MENGRONE: Nobody mentioned 15 out, this was supposed to be strictly five, and that's what we're paying cash for.

GUERRA : (Inaudible)

MENGRONE: Because he tried to make a big move on his own. OK

GUERRA: There's no way he could have done it he approached nobody else, how is he gonna do it, 15 he had nobody set up.

MENGRONE: Yes he did, he had another one of my customers, the Cubans OK.

GUERRA : Oh it's with you though!

MENGRONE: Of course so why fuck him up, the whole fucking thing when you know both of my accounts are solid. That's like somebody come to you with three Cadillacs and says here, ready to go there your and the guy says I don't want them, I want two Fords instead and walks away, you gotta think he's punchy.

GUERRA : Alright let me hand up in case he trys to call me.

MENGRONE: OK, I'll have it till a quarter to twelve then I gotta go down the club they want to know what's going on, so tell them thats it.

GUERRA : I won't hear from them before then - I don't know how I could

MENGRONE: I'll be here.

GUERRA : Alright.

MENGRONE: Bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 8, 1973 AT 9:05 P.M.. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS LEPORE TO PETER MENGRONE

Conversation #827 EXH .?1

MENGRONE: Hello.

LEPORE : Pete.

MENGRONE: Yeah.

LEPORE : Louie.

MENGRONE: Yea, Louie.

LEPORE : Did you see or hear from Albert?

MENGRONE: Not al all Louie. I left word with the other Louie, and with his father

I gotta see him by a quarter to 12, cause I gotta see my uncle at 12.

LEPORE : Oh.

MENGRONE: So its like I got good people involved now like ah.

LEPORE : Hah.

MENGRONE: I had to get some people involved, which I didn't want to but its what

its turning into.

LEPORE : Yeah.

MENGRONE: He was supposed to meet me today one o'clock to talk to the guy and

never showed up.

LEPORE : I don't know what the hell is going on Pete. He's got me handing from

last night since last night I haven't heard from him.

MENGRONE: It's not right whatever it is OK.

LEPORE : I don't know what's going on, I'll be truthful with you.

MENGRONE: You available tonight to talk for a few minutes or what?

LEPORE : Yea.

MENGRONE: You know where my club is?

LEPORE : Ha.

MENGRONE: You know where my club is don't you?

LEPORE : Your what?

MENCRONE: You know where my club is the Magic Carpet?

LEPORE : Yea.

MENGRONE: Why don't you meet me over there around 11:30 I'11 be outside.

LEPORE : OK

MENGRONE: This way I can fill you in this way you can have an idea and I can

show you what we're blowing.

LEPORE : Right.

MENGRONE: The guys got a 1/2 million big ones out.

LEPORE : Alright.

MENGRONE: Is good.

LEPORE : Right.

MENGRONE: Bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT 9:42 ON SEPTEMBER 8, 1973 AT 10:14 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ROBERT BROWNING TO PETER MENGRONE

Conversation: 828 EXH 22

MENGRONE: Hello.

BROWNING: Hello Pete - Boddy did you - hear from Al?

MENGRONE: Nope.

BROWNING: You didn't hear from him?

MENGRONE: Not a word.

BROWNING: Were you with him today?

MENGRONE: Not at all, he missed the meeting hah!

BROWNING: Hah.

MENGRONE: He was supposed to meet with me and the guy today.

BROWNING: Well I didn't hear from him all day he was supposed to call I'm home all fucking day, he told me he was gonna call me - I want to know whats

going on.

MENGRONE: I can't figure him out the guy would have gone downtown, showed him

money and everything.

BROWNING: Yea thats what I mean, didn't he do that?

MENGRONE: He never showed-Albert never showed the guy was there & all- he said

he has no qualms, here's my money- takes out the attache case.

BROWNING: Yeah well well last night he called my old lady er something no, this

morning called up my old lady said he was going downtown- he said he would call me up 5 o'clock said he would be up hear but he told me he

had to see you.

MENGRONE: Yea he was supposed to see me at one o'clock.

BROWNING: No he told me he was supposed to see you at two o'clock.

MENGRONE: Yea well either way he didn't make either one.

BROWNING: And he told me he was going with you - you no whatever you had to do -

I don't know.

MENGRONE: He didn't go any place and the only I'm supposed to meet ah --- and I

spoke to Louie I told him I got till a 1/4 to 12, cause I gotta either

SA 66

MENGRONE: see Albert or go to my uncle and see you know the people down the club on Fordham and let them handle it because this is out of hand for no reason, this was a stupid simple move.

BROWNING: But whats the story, Peter, whats going on?

MENGRONE: Ah you want the truth?

BROWNING: Yea.

MENGRONE: Instead of making the move the way he supposed to, just take the one and a half and then let the yom dedide how much more he wanted, he told the guy....

BROWNING: He took 15.

MENGRONE: He had no business doing it because we knew how much money there was available, there was over \$250,000 but the point is you know go a step at a time. I tell him don't rush the move its gold. Its there we ain't going anyplace you know and ah when I leave off with him yesterday, hes were're ready to go.

BROWNING: When I left off with him another words this morning, did he meet you today at 1 o'clock? "2 o'clock"

MENGRONE: Never, never meet, never called.

BROWNING: I don't know.

MENGRONE: The sillyness of it.

BROWNING: But whats going on, are we gonna make any money or not, or or what are we doing here. Thats what I don't understand.

MENGRONE: Well on my end - like I told him last night. He says you know he got nervous last night, he must of thought I was gonna wack him or something else.

BROWNING: Yeah that what he figured, because another words

MENGRONE: He knows me better than that.

BROWNING: I mean, now your tellin me, a completely different thing.

MENGRONE: Hey Bobby I'm with good people Bobby ok, I don't have to wack anybody I just sit back.

BROWNING: Now but the thing is your tellin me a completely different thing, he said you know like, one of this (inaud) whatever problem he had downtown I mean ah.

MENGRONE: The yom never said 11 o'clock, the yom never made a time - he said I'll see you Friday.

BROWNING: Yeah I know he said that because I was with them downtown, you know I mean.

MENGRONE: Well he shouldn't have had ... all he had to do. .

BROWNING: You know what I brought up with me right? Now the things is now alright. Now alright, they came and the other gave it back. Or whatever happened I don't know but now he was supposed to go he went downtown right. Now he said they were gonna go and straighten it all out today right.

MENGRONE: You know what I said to him last night.

BROWNING: The last I heard hes meeting you at two o'clock and hes gonna straighten everything out, they were going down (inaud) you know.

MENGRONE: I sat here all day.

BROWNING: From 2 o'clock I watched the Yankee game and watched football - have not moved. I spoke to Louie LePore and told him you can meet him at 11:30 at my club to talk to me, because I gotta see my uncle at 12 o'clock. And after that its up to Albert, my uncle, Louie Plummer who ever you want to talk to, they work it out.

BROWNING: Yea.

MENGRONE: All I know, this is a very simple no qualms.....

BROWNING: But I don't understand it.

MENGRONE: Even today I'm gonna show you something ok yesterday he tells the guy we'll see you in an hour, I put the guy off.

BROWNING: Yea but I told you I know hes going downtown, I says I know he won't be back in an hour. I called in fact, last night I think I spoke to you and then. I don't know hes called me about I don't know what time it was one o'clock in the morning, whatever it was remember my seeing you.

MENGRONE: Yea.

BROWNING: You were supposed to be at his mother's house, and then you were following us or something.

MENGRONE: Yea I (inaud) through the block cause don't forget hes got my wifes car with my house keys on it.

BROWNING: Right - now you got the car right?

MENGRONE: I had to go down and pick it up with another set of keys.

BROWNING: Oh yea because the guys house it was by I he called me up and said somebody took the car I says I figured Albert was with you.

MENGRONE: No he never got to me and never said a word.

BROWNING: I'm mad because hes making me scay home all day here, you know.

MENGRONE: He did the same thing to Louie LePore, he did the same thing to the other Louie and its gotzen to the point like I said I put the you SA 68

MENGRONE: off last night twice ok. Now I didn't meet him you know we were riding cont'd.: around last night I rode right by, but I cut off when I made the turn, on Webster Avenue. The yom was two blocks up waiting at a gas station, but I didn't even want to talk to him, I figured the hell with it, I make it like I was waiting in the wrong place.

BROWNING: Yea no but I mean, but I understand it today at 2 o'clock he was with you.

MENGRONE: No he never got to me meanwhile I sat with the guy I had lunch with him I took hom to "Toochies", I explained to him we had a problem, there was a breakdown in communications with them.

BROWNING: Alright so that problem, we had a problem forget about all that right. Where is he now and whats going on or what are we doing making no money or I mean.... What happened? The people were mad, they didn't want to do nothing.... did he give you the money back that all I want to know.

MENGRONE: No, and like I said if I don't have that for yom, then the yom goes to his people and we really have a circus if you think the Frank Matthews incident was a riot, watch this one.

BROWNING: I don't know I get involved with my cousin, why?

MENGRONE: But the point is the guy needs one and one half.

BROWNING: So why (inaud) no matter how mad they were, they were willing to... he told me last night that after he seen you, you were gonna straighten everything out, the people they were gonna take this. They were gonna do the right I don't know - what he told.

MENGRONE: Bobby there was no problem Bobby.

BROWNING: He pulled this, he pulled that on his name on all of that you understand.

MENGRONE: I said to him we'll go downtown and I'll talk to the guy.

BROWNING: I just want to know what he doing now or I'm you know I'm waiting here and he called up my old lady today, he said that he'd be here at he said he said he was meeting you at 2 o'clock - he said he'd be here at 6 o'clock tell me whats going on, what we're gonna do, you know what I mean I'm trying to earn money, you know what I mean Peter?

MENGRONE: Aren't we all, thats what the whole thing was.

BROWNING: Thats all I want to do, and I just want to know whats going on....

MENGRONE: Would you like to know (inaud).

BROWNING: If there ain't nothing doing you know I'll do whatever I do myself you know what I mean.

MENGRONE: Hey I tell you a short story ok if I told you we blew approximately 150 big ones, would you believe it.

BROWNING: He blew it because now you're telling me something else. He told me a guy one thing and you said another.

of a threading with a fact one a contain to remain and other to a the fact and a colla colla ter city of a con-

MFNGRONE: I know my arrangements were maybe thats why Ernie went berserk, the arrangements called for simply five pieces thats he supposedly had so we told him fine we would give even money for the five this way we take them all and have three for ourselves, and give the yom one and a half. Long story short, it turn out to be 15 which nobody told him to do, the yom told him. I'll take whatever you have as long as the goods are what you say they are.

BROWNING: Right so whats the problem now.

MENGRONE: The problem is obviously the yom has not gotten his one and a half and the guy is sittin there, he shows me an attache case today, he says what a we playing, if you don't want to make money tell me. I go someplace else.

BROWNING: Right.

MENGRONE: And this is stupidity of it.

BROWNING: Well thats the whole thing.

MENGRONE: He says to me I go downtown.

BROWNING: (Inaud.) I just wanna know what he's doing now-where I'm not staying in this fuckin house, you know all fuckin day-you know what I mean?

MENGRONE: Well I've been here since 2 o'clock-don't feel bad.

BROWNING: Thats all I want to tell you thats all-if you hear from him, you can tell him what I said-alright Peter? You just tell him, he could do whatever he wants to do, you know what I mean-I mean

MENGRONE: We did ring around the rosy last nite for no reason.

BROWNING: And like I'm waiting here all day-and I and all, you know all I want to do is-I have fuckin things, bills that I gotta pay, you know what I mean? I wanna earn money--, we're supposed to earn money-with this here, with that another thing and I don't know whats going on, but I I'm no fuckin freehole, you know what I mean, I'm not staying in my fuckin house waiting for a fuckin phone call.

MENGRONE: Stupid question now.

BROWNING: He makes a fuckin appointment wit me.

MENGRONE: Let me ask you a question-stupid question, stupid question, what did he have you think, what was gain on last nite, when I met yous?

BROWNING: Ah.

MENGRONE: What did you think was gain on last nite?

BROWNING: I don't know I don't know what was gain on, I figured that he, he, had one downtown-right?

MENGRONE: Right.

BROWNING: Now I figure the people, he would straighten everything out with them right and I figured he told me he gonna go down and talk to them and

he was was gonna get (inaud) to get, there was ah, in other words there was a mistake, there was a wrong time set, a wrong number and people

some people were waiting right, alright, I figured everything is straighten

out, Pete said that you were gonna straighten everything out with you

know who--

MENGRONE: Yea.

BROWNING: And that was it today.

MENGRONE: And the guy I said to him-

BROWNING: He told me riding around last nite, Peter

MENGRONE: I know what you had in the car, which was absurd and I told him---

BROWNING: And he made ah-I mean like ah-now, from now, what I he ar different

other stories from Louie and this and that, this is was that he---

MENGRONE: You people.

BROWNING: He made a mistake, he made the goof.

MENGRONE: This guy was willing today-let me tell you something, he was willing

today the your, he says look if theres a problem.

BROWNING: Well thats what I heard.

MENGRONE: I'll take I'll take you downtown.

BROWNING: We'll straighten everything out, why don't we just do that

MENGRONE: He says to me I'll go downtown with you, I'll talk to the men. I'll

show him the money, I'11 tell him we're ready to go, what's the problem.

BROWNING: Alright.

MENGRONE: I said to him thats all I want to know meanwhile he never gets in

touch with me, now he puts me in the position I can't let it go more than 24 hours, because I'm involved with my own people and if I don't I gotta stand you know to answer to them, so I gotta go to them this way tomorrow when I go see the yom I gotta have "Little Tony" or somebody come with me and say hey, we're with the guy this is the problem we'll straighten out the kid, there's no reason for it though, this should'a

been a simple move and everything.

BROWNING: Thats what I mean, I thought everything in other words you were supposed to pick me up 6 o'clock and we were doing the same thing, were going to

do the other day, only things are gonna be done right you know what I

mean.

MENGRONE: (Inaud.)

BROWNING: Everything was understood.

MENGRONE: Well obviously you never got a hold of me so.

BROWNING: I'm waiting here all day like I'm a freehole right.

MENGRONE: He's probably sleeping someplace.

BROWNING: You know what I mean.

MENGRONE: It's guaranteed he's sleeping.

BROWNING: Ya know.

MENGRONE: I hope he's got a fresh head, because like ah, I think he'll enjoy

talking to my uncle and those people.

BROWNING: Alright listen, when you hear from him just tell him that you know ah

I'm no fucking freehole, you know I don't need him, you know what I mean.

MENGRONE: No what he's done, he put everybody in a (inaud) position like he say

to me.

BROWNING: I mean he may take fucking chances and everything you know what I

mean Peter and I

MENGRONE: He said something very funny last night.

BROWNING: And I didn't make a fucking dime, you know what I mean.

MENGRONE: He, he said to me last night he said, "I was told you were gonna give

me up to the yom" meaning I should give him up ya know.

MENGRONE: I said let me tell you something I haven't spoken to anybody about this,

this is our business.

BROWNING: I don't know Pete, so many bull shit things in this thing that I don't

know.

MENGRONE: What we supposed to be doin

BROWNING: You know what I wanna do Peter all I all I was supposed to do for him

that day he called me was to make money ya know, carry something here

bring something there and that was it you know what I mean.

MENGRONE: Exactly, but this was sup- let me explain something OK? This would be

a permanent thing every week or two.

BROWNING: Right, that what I thats what I say.

MENGRONE: Without a problem I told him we could all sit back and earn and really

get rich.

BROWNING: Yeah so now, what the fuck, now, now what happened now, now where

MENGRONE: We still have the shot as long as I can pacify this guy, I gotta see him tomorrow.

BROWNING: Yeah.

MENGRONE: Like I told I haven't even had a chance to talk to him, if I show this guy his money then nobody did a muck-a-muck with it he'll say hold on to it, which you did right along, give him his piece.

BROWNING: The money, whats the money, the money ain't that

MENGRONE: No to the yim it is.

BROWNING: We're gonna make money or we're not gonna make money that all I just wanna know one thing if I'm gonna make money or or I make money somewhere else, you know what I mean.

MENGRONE: Yeah, what the point is we'll make money here, but he's gotta produce what the guys supposed to get.

BROWNING: Yeah so why aren't, so what happened why.

MENGRONE: I have no, I'd rather go down and start from scratch myself.

BROWNING: I thought he was.

MENGRONE: Look I happened to know who he's pulling from OK, I had gotten that from Ernie originally.

BROWNING: Yeah.

MENGRONE: OK my people are from downtown I don't wanna have to have one of my people go in to this guy and say whats goin on I got my nephew involved for what now, I got a full scale sit down over a fuckin piece, a piece and a half.

BROWNING: Yeah.

MENGRONE: This is stupid.

BROWNING: I know alright Peter.

MENGRONE: I had, I had other moves which he knew about that I could pull ya know the girl on my own which I said we could ya know give these to the guys to work with (inaud) or not, he blew that on me too because I didn't see the guy last time, he thinks I'm a wacko, he pulls a key for me last night and schuk.

BROWNING: I had other things to that I could did, I'm supposed to do this, do that, you know what I mean and at.

MENGRONE: I guess I

BROWNING: I was counting on him, you know what I mean I'm waiting here and I got people thinking I'm a freehole.

MENGRONE: Well I got, like I said I got a meeting at 11:30 I'm gonna see Louie LePore then I gotta go see my uncle at 12 if I don't hear from Albert by then I gotta turn it to them and say hey

BROWNING: Alright.

MENGRONE: You'll talk to the kid.

BROWNING: If you hear from him tell him to call me because I have some people waiting.

MENGRONE: OK.

BROWNING: OK, Pete.

MENGRONE: Be cool.

BROWNING: Alright, bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 8, 1973 AT 10:14 PM THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS GUERRATO PETER MENGRONE.

Conversation #829 EXH 23

MENGRONE:

Hello.

GUERRA:

Yeah Peter.

MENGRONE:

Yeah.

GUIRRA :

Louie.

MENGRONE:

Hi ya doin?

GUERRA ::

Alright I just from Al just now he's been downtown mostly,

hes gonna be uptown later on ah I also heard from the

other Louie.

MENGRONE:

Right.

GUERRA :

Yeah he says you called in you uncles and everything.

MENGRONE:

I got no choice, I'm, I'll tell I'll see him at eleven

thirty I'll talk to Louie and see what he says.

GUERRA ::

Ah they got Louie on the carpet?

MENGRONE:

Nobodys on the carpet, I haven't said a word to a soul yet.

GUERRA:

Alright cause the way everybodies tellin me now that your

uncles are in it because we are trying to give you a

beatin.

MENGRONE:

Naw oh.

GUERRA :

That's the way these things keep runnin around.

MENGRONE:

(Laugh) That's gotta be the wildest thing in the fuckin

world. I don't believe your people.

GUERRA :

You don't (laugh) you people.

MENGRONE:

(Laugh) Oh yiy are a fuckin circus

GUERRA :

This is what (inaudible) this is what Louie said.

MENGRONE:

I said to Louie I want to sit and talk with him cause I figured you know. He had said to me, he wasn't (inaud) anybody last night and when I had first come into this he was gonna try and get everything organized nice and neat so that he would have no problems, and we could run a nice smooth business you know so I figured you know obviously taking one look at the way things are going, this is far from smooth. Like you said, there's no reason you can't have organization. There's no reason for that at all. This should be er . . .

GUERRA :

I er, this is the way things going now it just come back down that you called your uncle . . . trouble.

MENGRONE:

You know better than that, all I'm saying is that.

GUERRA :

As of this moment, I don't know better than nothing I swear.

MENGRONE:

Well all I know is I'm on the hook with the yom, for

tomorrow.

GUERRA:

(Inaud) oh for tomorrow.

MENGRONE:

Right.

GUERRA :

Now are you gonna be able to get first thing Al says he couldn't pull the box. But what about the money you said the guys got now.

MENGRONE:

Oh er let me do it to you this day okay.

GUERRA:

Yeah.

MENGRONE:

I will get the money from the other guy right now my main interest see the other guy is one thing, that can sit there cause the yom knows that there's a 20,000

deposit.

GUERRA :

That in other words what you need is as the package you don't nee the ('raud) you can't expect to get the one and a half.

MENGRONE:

Oh at the moment all I want to do is show the yom the money and say "hey we still got something going. We had a problem and explain to him. The yom is willing.

GUERRA :

You either want to see thirty thou or a package equivilant

to that.

MENGRONE:

Right another wods, common sense the yom was promised

one and half right.

GUERRA: Right.

MENGRONE: With the notations he's coming back like almost immediately.

Right, no he is sitting with the balance of the cash. Why should I, why should I let him go, isn't this foolish.

GUERRA: Yeah, foolish.

MENGRONE: Er, what?

GUERRA: Alright, that all because I'm just trying to get these

things straightened out myself. Where, who's saying what

disputes.

MENGRONE: In other words I'm saying I'm suppose see my uncle at

twelve, if I haven't heard from anybody to fill them in

on what the hell is going on, okay cause . . .

GUERRA: Al was down there trying to pull Al (inaud) Al's working

(inaud) one hand tied behind his back. Twenty shy now

your saying that twenty Al doesn't have to make good for.

MENGRONE: Long story short if . .

GUERRA: You want to see thirty or package equivilent.

MENGRONE: Well don't you think that makes sense.

GUERRA: Yeah, well that makes a lot of sense.

MENGRPNE: Because if I can go to this guy.

GUERRA: (Inaud) but Al don't know that.

MENGRONE: Has Al bothered to call me at all and say a fucking word.

GUERRA: I er been waiting for Al to call three o'clock this after-

noon.

MENGRONE: Did you hear the other move yesterday that we blew again?

GUERRA: No.

MENGRONE: The one that I told him about the guy with the six was

willing to take a five or six and give us twenty one for

it for a half.

GUERRA: No. (inaud).

MENGRONE:

So I said to him take whatever's earned on it we just throw it into the kitty, this way you can wack it up with your boys their was nothing to be earned on my end I just said the guy wanted it lets service him. This way we got him if we need him later on.

GUERRA:

(Inaud).

MENGRONE:

Slows the guy outer the water five times the guy waits five times nobody now this why I wanna talk to Louie like I said to Louie this way he was supposed to be involved with Albert on this pull. Okay that his name signed up too the Yom was ready today to go downtown and talk head to head and say hey here's my money. I'm ready to go whadda you wanna do and meanwhile Albert never got hold a me.

GUERRA:

Yeah.

MENGRONE:

Now when I see that happen now just common sense.

GUERRA :

Well we figured everybody was honest.

mengrone;

Right so I gotta (stutter) (inaudible).

GUERRA ::

You wanna know where they were they were they they were sleeping.

MENGRONE:

Well the the . . .

GUERRA:

How's that?

MENGRONE:

You don't tell me noth I called this guy when Bobby Gooch called up looking for em he called me up and I said hey all I know is I was told to be some place at twelve o'clock to meet my uncle period. I wanted to met to Louie first I'm just gonna say to my uncle if if we've got everything the way its supposed to be I'm just saying nothing I'm in the middle of doing somethin period end of conversation.

GUERRA:

Al's supposed to (inaud) call me at one o'clock (inaud).

MENGRONE:

Because the way he made things out last night I don't know what the hell stories he filled your heads with you (inaud) their was no reason for it.

GUERRA ::

Well a you know you know I'm hearing every I's I heard alot of things the first thing I heard about is when I'm sitting the back of the car that when I heard alot of the first

GUERRA:

(CON'T) the first thing I heard about anything I think

was a twelve thirty yesterday afternoon.

MENGRONE:

Yeah now Louie who was there from the beginning knows

that's why I said to Louie you knew.

GUERRA:

Lou and then Louie he's a he's got another plan tells me how can I let this happen. I, I can let what happen tol

him (laugh) even Al'ed make.

MENGRONE:

The guy has a problem.

GUERRA:

Which DM or a . . .

MENGRONE:

Ah DM what I did was this turned it very simple he's

coming here.

GUERRA :

Yeah.

MENGRONE:

Okay I spoke to my uncle and I'm gonna have my uncle sit and talk with em and just explain to him very simply

what the problem was and that my uncle was going down-

town tomorrow to resolve it.

GUERRA:

Right.

MENGRONE:

He says and all he said was he sayd look I know you didn't give up the money I wanna see it and then you and your uncle handle it fine I don't nee this aggravation Louie because you know it is so stupid that the the this man now all he all he's interested in now.

GUERRA :

Alright when is he gonna see you?

MENGRONE:

He's gonna be here three o'clock.

GUERRA ::

I I just called up a Jimmy he's getting in touch with Al Al don't have a phone a told him to get in touch with me Charlie will probably driveout there himself

(inaud).

MENGRONE:

Yeah just as long as as long as my uncle is here see my uncle comes from downtown anyway so there's no problem he'll tell them hey this is what's being done you got so much as a deposit cause the yom still knows he got a deposit so I can't lose him you follow me, but he justs wants that there wasn't a rip off with his

thirty G's which what he has in his mind now.

GUERRA :

No there's not gonna be a rip off.

MENGRONE:

No but this in.

*GUERRA :

Al's gone a little crazy starting to sound like Ernie

a little but that's that's not a you know.

MENGRONE:

(Stutter).

GUERRA:

That's gonna be resolved Al's okay he's just he every-

body's got him nervous.

MENGRONE:

You know what the worse part was even when I was talking to you last night you know the price okay if he kept the thirty and just turned over a piece he picks up nine grand.

GUERRA:

Yeah.

MENGRONE:

Which youse could of wacked up yourselves you know.

GUERRA:

Well you know what it is to now there up Ernie's got the whole thing all messed up too its a its like a where I'm just interested in money now these guys are are are concerned that Ernie's getting something and nobody's

bothering him.

MENGRONE:

Lemme tell you something okay.

GUERRA:

Yeah.

MENGRONE:

When my uncle leaves here and this goes no further than

you and I know.

GUERRA ::

No.

MENGRONE:

Okay now I called up Ernie isn't home Ernie's with his

father understand something.

GUERRA :

Probably move in with him for the next few days.

MENGRONE:

Okay now my uncle wil go to his father Okay if it isn't resolved now Ernie says hey you'on have it back don't worry about it fine I aint worried about it I just turn

it over them they can sit down over it fine.

GUERRA ::

Ya wanna tell something that Ernies keeps his ya know, Ernie ah says done c worry about it you'll have it, you'oo have it, you'll an you'll have it, an you keep gettin

promises.

MENGRONE:

No promises.

GUERRA:

This is what got Al pissed off.

MENGRONE:

Once I got my uncle involved in it which I don't forget, my cousin came last night for one reason, he was there originally with Albert and doesn't understand why everything became a problem becuase this kid is a smart boy, okay?

GUERRA:

The kid that was in the car with your wife, okay.

MENGRONE:

Yeah, right that's my uncles son and this is why I wanted you to hear from the horses mouth, so like when I said I hadda go to my uncle, my uncle is well aware of what I'm doing ya follow me?

GUERRA :

Yeah.

MENGRONE:

Because I had his nephew with me he doesn't want problems, because he could have gone downtown himself there was no problem there.

GUERRA :

(Inaud) this is the way people get arrested.

MENGRONE:

Exactly, an there's no reason for it.

GUERRA :

It keeps from beingout in the street back and forth, talkin on phones callin here, callin there, this, this is unreal.

MENGRONE:

Well I started off with, when I spoke to Al, that I spoke to Louie, they said it would be very, everything would be like clock work.

GUERRA:

It would've been too, except for that one fact that Ernie got everybody turned against each other, I tellin you. I hate to keep on saying that, but from what I could read, this is what happened.

MENGRONE:

Eh, Ernie played both ends, he enjoyed himself, this was a game, he wanted a ya know, he wanted to control the situation, when he went to the house, Tunderstand that he got into an argument or something with Louie.

GUERRA:

Yeah.

MENGRONE:

I told him, this is none of your business, you got nothing to do with this, fine.

GUERRA:

Well you know what he meant, its none of your business, that he's gonna take the money an its all over, he don't

GUERRA: (CON'T) want nobody to pull, he got sick when heard

that Al pulled.

• MENGRONE: Oh this is what I don't understand, because why settle

for a piece of cake when there's a whole bakery.

GUERRA : He's a coke head, he's got his brains all twisted believe

me Pete and don't you carry tales either, but this is

exactly what's happening.

MENGRONE: Yeah but I carry truth, I mean my truth is resourceful.

GUERRA: Pete I'm say though what I tell

MENGRONE: Yeah.

GUERRA: You, don't you go around saying, Louie, Louie Guerra says

this.

MENGRONE: No, no reason to say that all I know is . . .

GUERRA: But, but this kid is crazy, he's losing his mind.

MENGRONE: He's got me in a position now here this guy, this guy

never mistrusted me.

GUERRA: Ha, ha.

MENGRONE: This guy here, he comes here today.

GUERRA: (Inaud).

MENGRONE: Lemme explain something he comes here today an I got my

uncle here and I don't have the bag open up an say here's your money, my uncle sayd hey we counted, there's thirty here, don't even lose sleep over it, I'm going downtown tomorrow night at six o'clock, eight o'clock, whatever time we tell em, an the man will walk outta here assured, because he'll think my uncle is from downtown. I gotta go

that far in order to save the deal.

GUERRA: Right, alright ah, I only called you because you know I

message (inaud) alright now I already woke up Jimmy he's

go get Al well try, Charley will get Al.

MENGRONE: Okay, understand something first alright.

GUERRA: Try to get to you before three.

· MENGRONE:

In other words I have no reason say even to give this money back for, one other thing I'm on the hook to him six grand that Kenny beat me for plus the twenty.

GUERRA :

Where this cog what's this something new now.

MENGRONE:

Oh, you didn't know this.

GUERRA :

No.

MENGRONE:

That when I was gone this Kenny O'Donnell who was doing work had gone to him to pick up money, the Yom gives him nad Kenny disappears with the money.

GUERRA .

No.

MENGRONE:

So I'm on the hook for twenty plus six is twenty six thirty only adds to the coffin, so if I could show him that is here, he passes on the other one for a while because he got a deposit.

GUERRA :

Yeah, I see yeah.

MENGRONE:

He know he, he's.

GUERRA.

I thought that (inaud) show the thirty or ah show a piece.

MENGRONE:

If I, if I can get the tar baby an say to here it this have it here when he walks in, if tis just me, my uncle I say look I held it here from last night, that I had you could get started.

GUERRA:

Alright.

MENGRONE:

The man came back tonight I'm, I'm off the hook.

GUERRA:

Good.

MENGRONE:

But I know I could keep him, otherwise what's the sense.

GUERRA :

Alright, let me call Charley.

MENGRONE:

Okay.

GUERRA:

Make sure Charley comes.

MENGRONE:

Work on it for me Louie, it's important because I got till three o'clock okay.

GUERRA:

Petey, I, I don't like things working like this I rather see it go (inaud) I'm gonna break my ass, then after this it should just be really simple, alright let me make some calls.

MENGRONE:

After this I'm gonna tell you something you wanna deal directly with me.

GUERRA:

I can't, I gotta get to, alright you deal with me and I'll deal with Al.

MENGRONE:

I'll deal with you period, an then you handle Al and all I want is the stuff delivered when it supposed to be.

GUERRA:

Right (inaud).

MENGRONE:

An I'll have the money, okay?

GUERRA :

Alright.

MENGRONE:

Talk to you later.

GUERRA:

I'll call you in al little you know, not in a little

while I'll call you in a coupla hours.

MENGRONE:

Alright I'll be here

GUERRA:

Alright.

MENGRONE:

Bye, bye.

GUERRA:

Bye, bye.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 2:10 PM THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS GUERRA TO PETER MENGRONE.

Conversation #844 EXH 2h

MENGRONE: - Hello.

GUERRA: Hi, Pete.

MENGRONE: Yeah.

GUERRA: Louie.

MENGRONE: Yeah Louie.

GUERRA: Hi, I just hung up on Al, he's he'll put together something.

MENGRONE: Right.

GUERRA: Ah, can you get that 15 though.

MENGRONE: When though.

GUERRA: When, today this afternoon.

MENGRONE: I can't reach him, I told this morning.

GUERRA: Right, alright I told he says ya could do it, but I can't I wasn't guaranteeing when or what, I usually try an put together thirty thousand, alright now he puts that, he's picking up that an that's that cash, he's picking up ah

goods.

MENGRONE: He's, he's gotta get the tar baby, that's what he promised

the guy.

GUERRA: Yeah, yeah the same thing he was supposed to have who last

time.

MENGRONE: Ya know makes, ya ya, I, I gotta sit with you for five

minutes.

GUERRA: Then when it reads right, they're gonna do five right.

MENGRONE: Right on.

GUERRA: Okay.

MENGRCNE: An I'll stand for the other money from Ernie, he knows

I'm ten to you now.

GUERRA: You don't understand what that is, that's a rip off,

everybody's up like they're chokin on it, cause there was no reason for that, who is he, his Father's Earl fuck em.

MENGRONE: I got news for ya, my uncle's a little bit strong with the

man he's with than Earl's is, so like if they want to have

fun together let em play.

GUERRA: Yeah Pete.

MENGRONE: Because when I tell em I said if it has to go to your

father it goes to your father an I won't hesitate for two seconds I'll say eh your son made a fuckin deal with

me for goods.

GUERRA: He made an ass outta you Pete.

MENGRONE: I'm well aware of it, I'm well aware of it.

GUERRA: An, an he made Al look like like a beat artist.

MENGRONE: But can ya, can ya understand something, I have a chance

here, now this is a three way wack, to wack up two hundred grand, I don't intend to blow this kind of a wack, after-

wards . . .

GUERRA: No, alright.

MENGRONE: Afterwards we're gonna shoot, we'll shoot all the fuck

we gotta do, why blow this fucking deal, that's all I'm

trying to salvage.

GUERRA: (Inaud) make money we can hire people to go around shotting

people.

MENGRONE: Okay, I told Albert this, I says lets salvage the fucking

deal, I'll stand good for the fifteen if he wants, I

could a reached that, but the point is . . .

GUERRA: Alright listen stop saying fifteen unless ya do the fieve

lets do the one first an then the five and then the fifteen,

Don't mention fifteen to Al he goes crazy he hears numbers

like.

MENGRONE: No I meant, I meant, money, money, money.

GUERRA: Ah, oh the fifteen G's right.

MENGRONE: Yeah.

Alright ah, Al's on his way down from Nyack, he's gonna GUERRA:

make some phone calls, then he's gonna come by here, he's gonna get you goods for Frank, whatever it is (inaud)

shine's name.

Even if he just gets the one piece, get, let me get. MENGRONE:

GUERRA: (Inaud).

Let em pull, let em pull one. MENGRONE:

GUERRA: Alright.

Lemme explain something to ya okay. **MENGRONE:**

Yeah. GUERRA:

He's got thirty, that means he's paying twenty one, he **MENGRONE:**

keeps the nine, that's his, he can do what he wants with

you an him I don't want a dime.

GUERRA: Right.

MENGRONE: Okay.

Well everybody will get something. GUERRA:

MENGRONE: Okav.

Cause we're all gonna make out if he pulls this you get GUERRA:

this then the Yom, the Yom (inaud) the moulinyom.

MENGRONE: Right.

He'll come across with five. GUERRA:

You better believe it because. MENGRONE:

Alright Pete just hang in there it's we're getting close. **GUERRA:**

MENGRONE: Okay.

We're getting close. **GUERRA:**

Okay now. MENGRONE:

GUERRA: Alright. MENGRONE: Now what time should I he's gonna be here whadda I do

with him now.

GUERRA: Ah.

MENGRONE: Albert aint gonna be down before three.

GUERRA: No its a five after two um that other thing ya ya sit in

your house and have a coupla drinks or something like that

a call me or I'll call you I'll keep you posted.

MENGRONE: Just keep me posted don't go longer than a hour sos I'll

have my uncle here and he's gonna blow fuckin fits.

GUERRA: No (inaud) soon as Al gets here we'll call you.

MENGRONE: Okay.

GUERRA: Alright.

MENGRONE: And then if its just a matter of you take a ride up cause

I don't . . .

GUERRA: I'll call you at three o'clock anyway so this way if these

there they'll see the people are in touch with you that

we're a . . .

MENGRONE: Right because I think as far as a .

GUERRA: (Inaud).

MENGRONE: Okay (stutter) you just call me by three lemme know what

the fucks happening.

GUERRA: Alright.

MENGRONE: Okay, bye bye.

GUERRA: Right.

END OF CONVERSATION

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THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 2:25 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE

Conversation #847 EXH 25

MENGRONE : Hello.

CORALLUZZO: Hello.

MENGRONE : Yeah, how ya doin?

CORALLUZZO: Alright.

MENGRONE : I'm sittin here with a little pussy hows that?

CORALLUZZO: Gettin a little pussy.

MENGRONE : Yeah.

CORALLUZZO: Oh that's alright.

MENGRONE : The cat I got.

CORALLUZZO: Oh, oh.

MENGRONE : (Laughs) Sittin on my stomach

CORALLUZZO: You got a clear fuckin head Pete, thats all I can tell you.

I try to keep it that way so I can think straight because if I get you MENGRONE :

know.

CORALLUZZO: So what's up?

So far my uncles gonna be here three o'clock, I waitin for the fuckin MENGRONE :

Yom to call, tell em come on up the other banana he's already spoke to

me, Louie called.

CORALLUZZO: Yeah.

MENGRONE : And said that he would have the money here by three, four o'clock the

latest that what I'm gonna do, I got my uncle.

CORALLUZZO: When is your uncle gonna be there?

Ah he supposed to be here, I want him ta talk to the guy, tell him eh MENGRONE:

ya know to back me ok, I don't like this shit of always leavin everybody

alone ok.

CORALLUZZO: Oh

MENGRONE : You follow me not that he gets a little hairy everytime I go.

CORALLUZZO: Why don't you tell me?

MENGRONE : I left off with you what did you say to me I'll be with my father

I'll be out but I give you a call during the day make sure everything

ok.

CORALLUZZO: Well when you says three o'clock I thought you were talking about noce

time I had mentioned noon time thought you were gonna tell him then,

then you told me after that you already made arrangements by three.

MENGRONE : No I wouldn't put you in this thing this is a like you say its I gotta

work it out, I, I, got outta it I gotta protect my own ass (inaud) I gotta get fuckin wacked for no reason at all, this fuckin guy always comes three or four guys and I'm always sittin there alone, like ya know Joe fuckin hero, one of these fuckin times he's gonna turn aroun

and say bye bye.

CORALLUZZO: Well whats supposed to be there then?

MENGRONE : The thirty grand.

CORALLUZZO: No, I mean who's supposed to bring it you don't know.

MENGRONE : I assume he'll send Louie because I told him A ok.

CORALLUZZO: Alright listen Pete where's your uncle?

MENGRONE : My uncle Frankie?

CORALLUZZO: Yeah.

MENGRONE : At Mullin and Brooklyn.

CORALLUZZO: He's comin from Brooklyn.

MENGRONE : Yeah.

CORALLUZZO: Ah I was gonna say if you could catch him I would come up there myself

now.

MENGRONE : I I gotta do it with him but a if he doesn't know details I leave it

that way, just a matter of a protectin my ass (inaud.).

CORALLUZZO: What you want me to do you want me to come up?

MENGRONE : Then you get yourself involved and he's gonna know what your doin

make any sense?

CORALLUZZO: What you mean?

MENGRONE : Well your not supposed to be doin this.

CORALLUZZO: Oh oh I thought you meant the other guy, yeah oh oh he's one of them

guys.

MENGRONE : Right.

CORALLUZZO: I didn't know that, ah.

MENGRONE : This is why I always said to you I got out in front and this way

nobody knows the business, you know.

CORALLUZZO: Alright listen er well I'll kill a little more time than.

MENGRONE : Right then give.

CORALLUZZO: Down in the neighborhood.

MENGRONE : OK then give me a call.

CORALLUZZO: Whens the last time you heard from somebody.

MENGRONE : About twenty minutes ago.

CORALLUZZO: From who Louie.

MENGRONE : Yeah.

CORALLUZZO: And he's on his way.

MENGRONE : Yeah.

CORALLUZZO: Did you tell him to make sure its all there.

MENGRONE : Yeah all of it.

CORALLUZZO: You want me to grab Nicky and come up, and head near there, just in

case your uncle ain't there in time.

MENGRONE : My my uncle will be here, my cousin Frankie is with him.

CORALLUZZO: Oh OK good, alright then your covered.

MENGRONE : Yeah, Nicky makes me laugh too, yeah.

CORALLUZZO: Well Nicky was a little pissed oh at you, he he says he's sorry to

because then you called him up last night for the or the other night (inaud) and he says he blew his top with you for a little bit but what is right is right Peter, he was standing on corners for no reason that fuckin day right, was Alberts idea, Albert told you to tell em that or

what.

MENGRONE : He was sitting with Eddie the Spic.

CORALLUZZO: I know I know (inaud.).

MENGRONE : Thats thats a separate move I'm saying that was ours you know for how

long we've been waiting.

CORALLUZZO: Yeah but but you you were depending on on Snappo.

MENGRONE : Right.

CORALLUZZO: After I told you don't do nothin else you went right back and did it.

You are are unfuckin real.

MENGRONE : You gonna yell at me again.

CORALLUZZO: (inaud.)

MENGRONE : It doesn't pay to yell, the mistake was made its being rectified and

we'll keep it that way.

CORALLUZZO: Now listen to me you said the the Yoms gonna meet ya.

MENGRONE : Yeah, he's calling me then I'm gonna meet em.

CORALLUZZO: Well well he's calling you then your gonna meet em.

MENGRONE : Right, do me a favor call me at three thrity.

CORALLUZZO: Yeah.

MENGRONE : Because if you want and you want to talk to him we do it that way

you say look I'm back I had a little you know lay low a little while

I'll handle everything tomorrow.

CORALLUZZO: Em.

MENGRONE : You want to do that.

CORALLUZZO: Yeah because we're gonna have to get more oh them you know that.

MENGRONE : Mean dinero.

CORALLUZZO: Yeah cause this fuckin freehole shot em to low, he should have never

shot em that low.

MENGRONE : Well you er

CORALLUZZO: You agree.

MENGRONE : Yeah but you can't go up and down cause then it gets ridiculous.

CORALLUZZO: Well then thats why I said we offer em back what he's gotta get mean

theres no sense of putting ourselves er, obligating ourselves that a we can't live through it see without figuring on to something alright maybe not, we could go that way somewhere because of the amount he's

gonna take than so we could shave it off you know what I mean.

MENGRONE : Right.

CORALLUZZO: On the big one.

MENGRONE : Right, right.

CORALLUZZO: A we don't have to make as much but it we make up whatevers been out

and a for a this freehole there still should be enough there

MENGRONE : Er thats what I say I mean theres nobody else involved then its becomes

a two way instead of three way.

CORALLUZZO: Em.

MENGRONE : Well call me at three thirty I'll stall em if he calls I'll set up

something for four o'clock or five o'clock see what the hell I can do

with em.

CORALLUZZO: Em em alright yeah.

MENGRONE : Er.

CORALLUZZO: Well wait a minute.

MENGRONE : Nicky er Nicky isn't home by the way.

CORALLUZZO: Yeah I know he's down the club I saw him in the neighborhood.

MENGRONE : OK

CORALLUZZO: Alright.

MENGRONE : Because I hello there.

CORALLUZZO: Oh, click click

Operator interrupts conversation and asks for five cents for the next five minutes.

MENGRONE : Hello, there.

Call was terminated at this time possibly due to operator cutting into line.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 3:20 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS GUERRA TO PETER MENGRONE

Conversation: 849 EXH 26

MENGRONE: Yeah.

GUERRA : Louie.

MENGRONE: Yeah, Louie.

GUERRA : Hi, I just spoke to them again, they're on their way downtown to get

the 30 thou

MENGRONE: Right.

GUERRA: They can't pull anything (inaud.) they're gonna show you the 30,000

they're gonna get it back from these people, show you and anybody else not anybody, you and one man, 30,000, you gotta get the other money 15 or whatever it is they need, ah I think its 15, give them that and they'll

go down and pull the one and half, you could go stay with them.

MENGRONE: Do this OK?

GUERRA : I'll stay with them, anyway they want it, you know, they'll definitely

pull the one and half, but they can't do it with just the 30, Al's got

the 30, the 30 is good.

MENGRONE: OK, let you bring the 30 here, I'll pass you off as from downtown.

GUERRA : Right.

MENGRONE: OK show it them, we'll tell them what we're going to do, we'll play it

that way, you tell em then you come in.

GUERRA: Well where you gonna get the 15 from?

MENCRONE: I'll have to get a hold of Freehole tonite, what am I gonna do?

GUERRA : Alright, alright now, first he said 6 o'clock, but he says he doesn't

want to give you a certain definite time, it's gonna be early evening cause he's gotta go down and get it from these people, now, there holding it, Al's not, he says its safe, but he hasn't got it. If he had it we could have done something last nite, alright but er, it'll be after 6

this evening.

MENGRONE: 6 and this guy is on his way here, what a fuckin circus now.

GUERRA : Oh, it's a one guy got it all screwed up, I'm definitely show you the

money.

MENGRONE: (Inaudible)

GUERRA : They don't want to give it back, they don't give the money, they want

to do a deal.

MENGRONE: Oh, I got news for you, nobody wants to do more than I do.

GUERRA : Alright.

MENGRONE: OK I'm just trying to keep this guy on the line, you show it to em, you come here, we'll meet (inaud.) restaurant or something, you and I, I'll show em your from downtown, your holding the money we want to make this deal and we'll play it that way, I'll tell you what to say.

GUERRA: How you gonna get the 15?

MENGRONE: Er, obviously, whenever he decides to go home, I'm gonna tell him I need it whether he does tonite or tomorrow. Somewhere along the line I have to make my uncle do it, I'll get the money out of him, thats a,

its gotta be done.

GUERRA : Alright.

MENGRONE: But you understand, let, let me do arithmetic with you OK, even on a two way split, he doesn't need 15 Albert, understand it.

GUERRA: Whats it costing him to er, whats he, he, paying 21 for it?

MENGRONE: He's paying 21 and figure 10- so thats 31 even with the profit in it OK

GUERRA : Yeah.

MENGRONE: Figure out what does he need it there a----

GUERRA : Er- in other words downtowns only gotta get 31 or--

MENGRONE: 31 or 32

GUERRA: A-he promises them more and then the rest is gonna come off the topyou see I don't know now, did he tell them he give them a certain amount or is he only gonna give them 31--

MENGRONE: No- he told them that he's paying downtown 21.

GUERRA : Right.

MENGRONE: You follow me- and that was the price, that he was pulling the goods for fine, but I'm saying even with the profit let him take his 1/2 or his 2/3 I don't give a fuck what he does with any - thats his business, you follow me. But the point is that you know, if I grab a----

GUERRA: No, no, no, no, you'll see what he's gonna say, is what happens with Ernie is your business, Ernie beat you, Ernie took the money from you is what happened, we never saw it.

MENGRONE: A-then what he should have done originally, OK was turn around, and say Petey, I didn't get it, you know why Albert's in the middle of this

cause Albert's trying to cover for Ernie--

GUERRA : Tried to cover for Ernie?

MENGRONE: Albert told the Yam, I have your \$20,000, and now the Yam knows he has

\$50,000, you can't turn around to the guy and say I really didn't have

it- I lied.

GUERRA : Yeah.

MENGRONE: Now it becomes a circus, and he would be very honest because he said you

its my partner, fine, but if your saying something, I didn't know anything about it. As far as I was concerned, he had the money, fine, I'm going along with Albert, all of a sudden he turns around the last minute, I never got it— the tag— the fuck, I mean he only waited a week

to tell me.

GUERRA : Ah- I'm getting a headache-

MENGRONE: Oh- well-he-met this Yam head to head, twice each time he told him

look- I got your 20 as deposit and when he got the rest of the money he says fine, we got a deal- well where do I go with this Yam? He told him who he was, he knows where to find out it, its a game, but

if we can produce.

GUERRA : A A I'm gonna get the 30 tonite.

MENGRONE: OK

GUERRA : Al's gonna give it to me.

MENGRONE: Then you

GUERRA : (inaud.)

MENGRONE: Then I'll stay- you come here- or else I'll meet you someplace.

GUERRA : Where?

MENGRONE: Let you come to my house- you know how to get here.

GUERRA : I don't know I'll call you later, you can tell me how.

MENGRONE: Right.

GUERRA : Alright I'm not giving it up no matter what happens, if I walk in there

I'm not giving it up-

MENGRONE: You don't have to give it up, I just want the guy to see it.

GUERRA : Alright.

MENGRONE: He's entitled to that, its his money ain't it.

GUERRA : What?

MENGRONE: He's entitled to see his money.

GUERRA : Right entitled to see it.

MENGRONE: OK

GUERRA : Alright.

MENGRONE: We'll pass you off as the guy from downtown.

GUERRA: (Inaud.) I don't know what is in Al's head, that he won't pull the one and 1/2, if he got it we got the money, like you say, if its only gonna cost him 31 or even 32, why he don't do it.

MENGRONE: Louie I have no way, I can't understand it believe me, there's no reason cause what he's gonna do is put the guy off another night, and the guy is gonna turn around and say what are youse fuckin wild, he er- Albert told the guy I'll be back to you in an hour, this was Friday.

GUERRA : Yeah.

MENGRONE: We're into Sunday nite.

GUERRA: You know what happen now though, I'm not saying what happens now, I'm gonna do this, but I want you to know, I know what I'm doing, I'm making, I'm doing the wrong, I don't want to go there and show the money, and the last person the gonna know had the money is me, so when they don't get their money back, naturally they're gonna be looking for me-this is crazy man.

MENGRONE: What are they gonna know you from, you're from downtown period.

GUERRA : Alright.

MENGRONE: OK

GUERRA : Alright, I'll call you later on this evening.

MENGRONE: I'll be there.

GUERRA : Alright, good-bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 4:35 P.M. THERE WAS AN OUTGOING CALL TO 212-798-7506 FROM PETER MENGRONE TO LOUIS GUERRA

Conversation: 855 EXH 27

GUERRA : Yeah, hello.

MENGRONE: Louie.

GUERRA : Yea.

MENGRONE: Petey.

GUERRA : Petey yeah.

MENGRONE: Wherever they are find them OK.

GUERRA : Its not going to be that easy, they're on their way downtown I don't

even know where they go downtown.

MENGRONE: Well, my uncle is here with you know two of the fellows in the

neighborhood.

GUERRA : Yea.

MENGRONE: The Yom was here with his partner my uncle assured him within an hour

we would show him the money and that there's no heat involved.

GUERRA : Yea.

MENGRONE: Like I say.

GUERRA: (Inaud.) on 4:30, he was to try by 6 but he said look don't tell him

six because I may not be able to make it by six, see I even told you

that.

MENGRONE: I couldn't control it, because the Yom was under the impression that I

had the money with me that why he came over with that impression and we

stalled.

GUERRA : Yea.

MENGRONE: I got my uncle and two good fellows involved, this is out of fucking

proportion now, no fucking reason for it, this guy wants.

GUERRA : Yea, well how, well to be honest with you I really don't know where

to reach them, if they call me I could do something, oh balls.

MENGRONE: The men says to me he says, I'm out.

GUERRA: Thats all because this didn't start off right to beginning with

MENGRONE: You know what he says to me he says I'm not even interested, if you had a package I'd take the package and I'd let the rest of the move.

GUERRA : Right, right.

MENGRONE: If you have a way we can grab a package of a pure anywhere do it as a favor, and we save him.

GUERRA: Right, right let me try call a couple of people see if they know know where he's at, give me a number where to reach oh him, 1'll try to call you back in 20 minutes.

MENGRONE: OK, thank you.

GUERRA : Alright.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 5:21 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS GUERRA TO PETER MENGRONE

Conversation: 859 EXH 28

MARY MENGRONE: Hello.

GUERRA : Yea, hi, is Peter there?

MARY MENGRONE: Who's calling?

GUERRA : Louis.

MARY MENGRONE: Louis, can you hold on for just a moment please.

GUERRA : Sure.

PETER MENGRONE: Yea.

GUERRA : Pete.

PETER MENGRONE: Yea.

GUERRA : Yea, did you hear from Al?

PETER MENGRONE: Not a word.

GUERRA: Yea, I just called, not just when I hung up on you I called up speak to him and ah, I called them back and ah nobody was there I thought maybe, ah, alright I left word, this guy will definitely

have Al call you, well, ah, he says yes and then Al says something else um, I don't know, your coming down the were now right.

PETER MENGRONE: 1/2 an hour.

GUERRA : Yea.

PETER MENGRONE: OK, I need this shit, a stinking fucking package.

GUERRA : A what?

PETER MENGRONE: I'd like to throw the package at the Yom, and say here now we're

ready to go.

GUERRA : Alright, now you know what this is now, I'll tell you, even if he

pays and picks it up for 31 he feels Ernie walking out with \$15,000

that should be yours and his.

PETER MENGRONE: Did I guarantee you the money, on my own I guaranteed that money

GUERRA : They don't want you to guarantee it shouldn't come out of your pocket

he doesn't want to see Ernie earn like that.

PETER MENGRONE: Ernie will not earn on this, OK but it ain't gonna do any good me

being.

GUERRA : I know (inaud.) so what, if Ernie earns and if we don't do it

Ernie still earns and we don't, but at least if we do it you

gonna get it back from Ernie, even if you don't at least.

PETER MENGRONE: I get it back because I can go to his father OK.

GUERRA : Alright, I'll keep trying, alright, this guys supposed to call

he's surposed to call you, I spoke to big Jimmy. Big Jimmy (inaud.) he says I'll make him call you, because he's getting a little tired

of all this too, this is bull shit.

PETER MENGRONE: I'm leaving it to you because your the only one who can bail me

out, your the only one with any head at all.

GUERRA : Yea.

PETER MENGRONE: Otherwise I'm in a lot of trouble.

GUERRA : Alright ah, I just don't have control over these matters, alright

I'll keep trying.

PETER MENGRONE: Alright, bye, bye.

END OF CONVERSATION

THE PROSECTUION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 6:20 PM. THERE WAS AN OUTGOING CALL TO 212-798-7506 FROM PETER MENGRONE TO LOUIS GUERRA.

Conversation #863 EXH 29

GUERRA:

Hello.

MENGRONE:

Hello.

GUERRA:

Yeah Pete.

MENGRONE:

Yeah.

GUERRA:

You haven't heard from him.

MENGRONE:

Not a word.

GUERRA:

Neither have I, spoke to big Jimmy last night.

MENGRONE:

He has the money though, no problem with the money.

GUERRA:

He's gotta go downtown and get it, he say he has no problem with the money, that's not the problem at all, the heres he's got him pissed off which he shouldn't be worried about but is got it si the facts Ernie scored like that, that's whats got him pissed off and he's not thinking straight, he's thinking why the fuck should we do this and then he makes, I'm trying to tell him, we'll make no matter what and if we don't do it Ernie

still makes what good is it.

MENGRONE:

Well the point is he has to include Ernie in at his

end, unless from the beginning.

GUERRA:

We don't wanna include Ernie in everything, Ernie

pulled a beat.

MENGRONE:

Well the point is now Al.

GUERRA:

Yeah, that's not even the point. I tried to tell him that's not the point, the point is we gotta get these shines off, we gotta give em something and then go back and earn with them, he supposed to be coming by here,

I'm laying down right next to the phone.

MENGRONE:

Well he's got two good people involved now with my uncle.

SA 102

1.

GUERRA:

Yeah.

MENGRONE:

Okay, which he have to answer to them and tell em why that, I, I gave em a time and nothing was done now they just called and asked me where the kid's father lives and where he lives I'm mean soes it have to come to this, Is this the fucking absurdity of this whole thing, because the shine called them and they told where to reach them.

GUERRA:

Yeah.

MENGRONE:

And they were you know, don't worry everything is being done.

GUERRA:

Their supposed to be roming by my house supposed to be I want you to know, I dan't do these guys, they may be downtown right now at this minute they may be pulling a package, maybe I spoke to him last night, Charlie was out there this morning I think we got them believing what we're saying, he just may be down there pulling a package, I hope so.

MENGRONE:

Well he should done this in the first place you know, we can handle Ernie on our own once we get going.

GUERRA:

Alright.

MENGRONE:

Ernie was not the problem, okay.

GUERRA:

But no, I don't see him as a problem not a physical problem but he's got naturally what he's thinking he's got (inaud) like you say ah. . .

MENGRONE:

As you said.

GUERRA:

We could do it for 30, 31, (inaud) something like that (inaud) come up with some cash. He's got the 30, another 1500 alright you get that money from Ernie you'll stand good on the ah . .

MENGRONE:

That's the part I told him I will get that money the part is I don't want to involve Albert (inaud).

GUERRA:

After that we, after that we earn, we all earn after that, worried about it.

MENGRONE:

I'm worried.

GUERRA:

Alright, I'm still sitting here Pete I'm

MENGRONE: Louie, control him its important because.

GUERRA: If I get my hands on him, I ain't letting him out of

my sight this time.

MENGRONE: Because if thes fellow that were here today send people

out, we ain't gonna have a change to rectify nothing,

then it becomes ridiculous.

GUERRA: Yeah.

MENGRONE: Because if we don't need that, this is, this is...

GUERRA: Everybody ducking and dodging, winging here and winging

there. I know that's not the way to do business, its not ah, not scary or anything like that but is ridicu-

lous it a . . .

MENGRONE: Even if he just pulls the one, forget the 11/2 just pull

the one.

GUERRA: Yeah.

MENGRONE: He's got himself nine grand, he's got a clean nine grand

what does he worried about he knows then after that then Ernie out of it then I'll go to Ernie's father and say hey, this is done I want my fucking money but the point is, he's got nine in his hand what is losing his fucking mind, he got to let Ernie become an obsession to him that

we can't earn.

GUERRA: Yeah.

MENGRONE: I don't know whats.

GUERRA: You know what it is.

MENGRONE: The windup is Ernie laughs at us, I don't want Ernie

laughing at us.

GUERRA: He's got his money and we're fucking around biting each

other.

MENGRONE: Now I guess that I know I can get the money from Ernie,

Albert may not think so but I'll show Albert a few tricks

he don't know yet either okay but the point is . .

GUERRA: But Bobby Gooch seems to think that you will be able to

get it too.

MENGRONE:

He knews I can, I think Bobby Gooch knows who my people

are.

GUERRA:

Right.

MENGRONE:

I don't have to get people involved.

GUERRA:

(inaud) got Al don't know, Bobbys goin to have to tell Al.

Alright.

GUERRA:

Let me try his mother again, did you, his mother or anything

or you

MENGRONE:

On I'm leaving it to you, because want to say off the phone.

GUERRA:

Let me try his mother.

MENGRONE:

Ok

GUERRA:

Alright.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 6:37 P. M. THERE WAS AN INCOMING CALL TO (914) 668-0946 FROM LOUIS GUERRA TO PETER MENGRONE

Conversation #864 EXH 30

GUERRA : Louis?

MARY MENGRONE : Louis, just a minute (in the background - Peter's

stuck in a tree).

PETER MENGRONE : Yeah.

GUERRA : Which Peter is stuck in the tree?

PETER MENGRONE : My son, would you fucken believe it.

GUERRA : Ha, ha (laughs)...that, I can believe, believe it

was you. All right, I just spoke to ah, Al. I just screamed with Al, all right, he. the first thing you want I'll tell you everything I told him you could get it for thirty one-five one and a half he says yeah. He...I say I get it and shoulda told him just to get the one and keep the nine, he'll call me back in fifteen minutes. I'd rather even pull the one and a half cause we could always move that. I say get it, he says fuck it, let Ernie get the money, why should Ernie...Pete, that exactly he didn't say it to me before, but I've been reading this, thats where he's pissed off. I tell you what I told him we could do, I want to pull the goods...

I wanna show it to them and then you gonna have to to get that money before he'll turn it loose.

PETER MENGRONE : What do you mean, turn it loose to the Yoms.

GUERRA : Yeah, he's gonna show you the goods, but then its

gonna be on you...he's gonna pull it he says he gonna pull it...he'll call me back in fifteen minutes to let me know if he got it...I'm gonna come with the goods, but then you, your uncles, whatever, it is then you gonna have to, the next move is up to you, you gotta get his partner, I don't blame him, he's

out there, he's taking risks and everything....

PETER MENORONE : Well, can I say something here?

GUERRA : Yeah.

PETER MENGRONE: Let me explain something of ... you consider me honorable.

GUERRA : Yeah...Al considers you honorable too, he...he don't

consider Ernie honorable.

PETER MENGRONE : Well, let me explain something...put Ernie out of the

picture...if Al feels he's entitled to fifteen, I per-

sonally....

GUERRA : No, it's not...if you don't understand that not it...

you gain your talking about money...you don't understand me Pete...you're talking about money...Al's talking about personalities and whose up and whose

down and whose a scumbag and whose a sucker.

PETER MENGRONE : Well...

GUERRA : Now, do you follow me that whats makin it so difficult

because Ernie is fucked Al for two years...Al just

finally sittin down with a pencil and paper and figurin

it out.

PETER MENGRONE : But don't you understand something.

GUERRA: I understand.

PETER MENGRONE: To stop the move because of Ernie while I can reach.

GUERRA : You're wrong.

PETER MENGRONE : Ok.

CUERRA : I know that

PETER MENGRONE: I know if I have to go out, fine... I call the fifteen

I put it up because this Yom will come back to its

money tomorrow...ok...that's a very simple thing he....

GUERRA :AND THEN THE ONLY OTHER THING I could do, I'll

make him pull the one an a half I get this...I'll

give you one.

PETER MENGRONE : Thats all an...I'm...I'm tellin you (Louie talks at the

same time but is...inaudible....) I guar...I guarantee I guarantee the fifteen and I can guarantee...see I

want Albert out of this because when I go to Ernie ...

· . ii

GUERRA: He can't be out of it... Albert has the hold on hold an don't hang up.

PETER MENGRONE : Ga head.

GUERRA: (Louie talks to someone in the background.)

PETER MENGRONE: Because I when...I when ...I...when I go and they sit down with Ernie and his father...I don't want Albert in this...it gotta be.

GUERRA : (Inaudible)

PETER MENGRONE : Its gotta be me an Ernie.

GUERRA : Right.

PETER MEN CRONE : My money

GUERRA : Right.

Ya see, Albert don't understand this...I want Albert out of it so he doesn't get involved because then whatever we do, me, you an Albert is all our business.

GUERRA: In other words, you payed Al...in other words you paid Al and now the moneys owed to you its not owed to Al.

PETER MENGRONE: Thank you...done...doesn't he understand...does he think he's dealing with a child.

GUERRA: I can't get him still long enough...I can't catch him long enough...I want him to come an talk ta you, then this is so much better...I don't belong in the middle like this now...not that I mind being here, but I'm saying, but its not...its not accomplishing enough.

PETER MENGRONE: He's gotta understand somethin I gave up money to him without batting an eye cause I trusted him

GUERRA : Right...right.

PETER MENGRONE: I haven't given up any names nothin ta this Yom...nothing to even my uncle.

GUERRA: All right...we're gettin closer though...we're gettin closer believe me.

PETER MENGRONE : Now what tas he gotta do ta pull. he's gotta go down-town....

SA 108

GUERRA: He id downtown...he'll call me back in fifteen minutes...
all right if he pulls...we'll give you a one.

PETER MENGRONE : An you could come with me...I'm gonna show ya...I'll so the right thing.

GUERRA: I don't have ta go with ya...I'll give you one an a...
a...I'll give it ta you.

PETER MENGRONE: I'll take it down to St. Nocholas Avenue, but I'm gonna show ya something if I do this, I'll make you an him shit...if I talk to this guy the right way I say...look, I went down...I put fuckin name on it...I'm stuck now, this fuck will give me up the money I gotta do the right thing...he sitting with it and he's fumin because as far as he's concerned it should have went off Friday night ta Saturday it was finished whatever was there...thats what he can't understand...he says we waited five weeks I got all the money an now we don't move, why you tell me why, tell me I didn't get ripped an that ya know what do I sat to him.

GUERRA: Hm...sounds like he got ripped I know he didn't over here though he got ripped for the twenty.

PETER MENGRONE: Ok...see with the twenty he knows it deposit, he trusts me in other words, I gotta stand good for the outfit that why ...

GUERRA : Peter, you gonna stand good for the twenty...Al's not.

PETER MENGRONE : Right, I'm...I'm stuck for it.

GUERRA : All right.

PETER MENGRONE : It has nothin to do with Albert, but the point is I

GUERRA: But the trouble is that Al's profit, but I...he just gives you one then he's still got a profit

PETER MENGRONE: He still got the profit on the half an let me tell you something

GUERRA : Right.

PETER MENGRONE: I told him that's why I don't understand why he doesn't understand me...I will make sure tat tat money comes to him.

GUERRA : (inaudible)...money to buy twenty in cash...(inaudible).

PETER MENGRONE: I will go to Ernie's house, see Ernie...Ernie's father has seen me with him up at the Vanetsia back an forth an forth so Ernie can't claim I had nothin ta do with him...he's full of shit.

GUERRA : Yeah.

PETER MENGRONE: Cause I picked up a tab for the father the other night in the place he says ya know...thanks...I'll see you later on an I walked out

GUERRA : (inaudible)...All right, Pete.

PETER MENGRONE: Ernie, I know I've got the ace in the hold...Albert may not know it...I can hurt Ernie where Albert can't because if Albert goes in there, what's he gonna say that we're dealing together an your son...you know... we're gonna start a war an both get it...I can walk in an say eh, I did...I did business with your sone, he beat me for fifteen grand an have my uncle there, what is he gonna say to my uncle...no can Ernie say no, I don't know this quy.

GUERRA : No.

PETER MENGRONE : You dig.

GUERRA : (inaudible)

PETER MENGRONE : I gotta do...I know what I'm doing...ok.

GUERRA : (inaudible)

PETER MENGRONE: Just do me the favor tell him ta get me the one...I'll meet him anyplace an let me get off the hook, with this guy, an I can guarantee tomorrow we go...

(inaudible)...we'll get you the one I shop so, but he says all right...yeah...all right...we'll get you one I could turn around an sell that other half, make some money on it...(inaudible)...

PETER MENGRONE: Ask him what the Cubans told me...he knows he can move to the Cubans ten pieces instantly.

GUERRA: All right, Pete...hang loose...stay outta trees you...
up a tree now?

PETER MENGRONE : I'm up a tree...they keep callin my uncle every fifteen minutes.

SA 110

GUERRA : Yeah.

PETER MENGRONE : What am I supposed to say they want.

GUERRA : All right...I'm gettin a call back from fifteen minutes

on the other line.

PETER MENGRONE : Ok...get back to as soon as you can.

GUERRA : Yeah.

PETER MENGRONE : GOOD.

GUERRA : All right.

******* END OF CONVERSATION ******

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 7:30 P. M. THERE WAS AN OUTGOING CALL TO (212) 798-7506 FROM PETER MENTIONE TO LOUIS GUERRA.

Conversation #867

GUERRA : Hello?

MENGRONE : Guess who?

GUERRA : Yeah, Pete.

MENGRONE : Ueah.

GUERRA: Yeah...no word, I'm waiting for him to call me...he's down

there and he's supposed ta be in trying to get something now.

MENGRONE : Ok, wadda you think I'm asking you now just me and you.

GUERRA : Ah...I think if he stops and gets Ernie out of his brain

he'll do it because we could earn if we take it n a well I told him to pull something anyway cause I could sell it

all right.

MENGRONE : Um hum.

GUERRA: Then once I get my hands on, I could give you one I could

sell the other one and make his profit and you say you know

like....you'll take the one just to get it started I think.

MENGRONE : (Inaudible)

GUERRA: I think if he can do it he, he, he will. Jimmy's got his

ear...Jimmy's tellen him to do it. Charlie's tellen him to

do it.

MENGRONE: I take you with me, ok, and give him the piece and let him

show you the rest of the money this way you know I know what

the fuck I'm doing.

GUERRA : I believe... (inaudible)....

MENGRONE I'm chasing this because I saw fuckin two hundred grand and

this killing me and he's gotta let this fuckin freehole with

the bad eye blow his mind uh.

GUERRA : (inaudible)

MENGRONE : Cock sucker you know.

GUERRA : I know.

MENGRONE : So near yet so far.

GUERRA: All right, lemme hang up because he's...its all hes gotta do

is met a busy signal and ...

MENGRONE: Ok.

GUERRA: Here's my other number 3023

MENGRONE: Three oh two three.

GUERRA : Yeah.

MENGRONE : Ok.

GUERRA : All right.

MENGRONE: Bye-bye.

Conversation is terminated.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 7:35 P. M. THERE WAS AN INCOMING CALL TO (914) 668-0946 FROM LOUIS GUERRA TO PETER MENGRONE

Conversation #868 EXH 32

MARY MENGRONE : Hello.

GUERRA: Yeah, its Louis again, can I talk to Pete

MARY MENGRONE : Just a moment please.

PETER MENGRONE: Yeah, Louie.

GUERRA: Yeah, as soon as you hung up he called...he be up in the

Bronx in... (inaudible)...call me and I gotta meet em...
I asked him if he got anything he says well, we got no problems and we got a problem and thats just his exact words...I asked him if he pulled, he says he'll let me, he's gonna talk to me when he gets here in the morning and so an hour from now I'll give you a call and I'll get him on the phone... (inaudible)...I don't know what he'll have with him whether money, goods or a story. I don't know, but... (inaudible)...he promised to be...you

know...meet him in an hour.

PETER MENGRONE : Where's he gonna meet...your house?

GUERRA : No, he'll call me up...(inaudible)...

PETER MENGRONE : Well, I hope his story's good.

GUERRA : Yeah, all right...ah...he said I told him that you're...

you know...your uncle, The Earl, he says you but he can't tell him what its for... I says well you seem to

think can tell him what it's for.

PETER MENGRONE : I could tell him its for the trucks you see.

GUERRA: Oh, for the trucks...oh...all right, whatever its for,

then you don't have to tell him.

PETER MENGRONE : Thank you, I'm trying to avoid that.

GUERRA : Yeah...cause he says if you do that your in trouble.

PETER MENGRONE : Thank you.

GUERRA : Yeah...all right, I...but...still...though we were

same...no matter what we do, you gotta get that money

back from him.

PETER MENGRONE : Obviously, because I'm still on the hook for it whether

you know it or not.

GUERRA : All right.

PETER MENGRONE : You follow me, that's why its a definite when I know

I'm gonna get it back because Ernie had told the Yom he had it originally. Ok, I get...ah...Al take the

other one off the hook ... Alberts off.

GUERRA : Yeah.

PETER MENGRONE : You follow me.

GUERRA : All right, now Albert, I'll see Albert in an hour...

(inaudible).

PETER MENGRONE : Ok.

GUERRA : He's downtown, he called from downtown.

PETER MENGRONE : Ok.

GUERRA : All right.

PETER MENGRONE : I'll call my uncle and tell him we got toll eight

thirty, thats all.

GUERRA : All right.

PETER MENGRONE : Ok...bye...bye.

GUERRA : I'll talk to...(inaudible).

PETER MENGRONE : What un...

GUERRA : All right, Pete.

PETER MENGRONE : Bye...bye....

End of Conversation

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973 AT 8:34 P. M. THERE WAS AN OUTGOING CALL TO (212) 798-7506 FROM PETER MENGRONE TO LOUIS GUERRA

Conversation #873 EXH 33

UNKNOWN : Hello

MENGRONE : Louie please

GUERRA : Hello.

MENGRONE : Hello there.

GUERRA : Yeah.

MENGRONE : Ah...he called me from downtown.

GUERRA : He called you...how nice.

MENGRONE : Yes.

GUERRA : I'm so happy to hear that.

MENGRONE : I spoke to the gentleman he was with.

GUERRA : Yeah.

MENGRONE : At least thats what he said...and they just wanted to

confirm about Ernie, etc...and I did so.

GUERRA: Wonderful.

MENGRONE : Ok...now...I left with them this way...I just get a call

from the guy Eddie.

GUERRA : Yeah.

MENGRONE : I don't know it you recall him...it from last week...re-

ta....

GUERRA : No.

MENGRONE : Remember the guy with the 21 cents that we were trying to fit in.

GUERRA: Yeah, but...ah...I didn't know anything about that.

MENGRONE: Well...ah...five or six for a half...he'll pay 21, so we have no problem with the half you're going to pick

up because all you have to do is wack it.

GUERRA : Right.

MENGRONE: And we get 21 right off the bat, so I don't know why he even bothers us, coming back...we bring him five times he says...I realize you're trying...but you must have your own problems...he says I figure...let me call you..

I say you call me tomorrow at 12 o'clock, 12:30.

GUERRA : What did the little guy say...he picking it up.

MENGRONE: He says its 50/50, but he wanted the guy to talk to me...

to understand what I was saying...I told the guy, look... I will have that 15 that's a guarantee...I said you just believe it...I said if you wanna, I'll come down and sit with you...he said no...no...your word is good...he'll let it go...and I hope the other kid knows how to handle

it from there.

GUERRA : Yeah.

MENGRONE: I did everything I could though, but I also got like you

said the other half we'll give the Yom one, take the half work at it...we know we got 21 for that one...because that's a definite...thats a 15 minute move...you can make it yourself or I'll make it for you...there's no big deal.

GUERRA : Yeah.

MENGRONE : So you ain't going to get hurt moneywise in this move...

believe it.

GUERRA: I'm not even worried about the money...I'm in so deep

over here. .. I just want to see things start to move ...

that's all...I'm stuck for over 30,000 already.

MENGRONE : Ok...we'll see if we can get you out...I'm trying...its

up to you now to talk to him, make sure he does the right

thing on my end.

GUERRA : Ok...what does he say hes doing is he coming up here now

or what.

MENGRONE: He says he'll get a hold of me in an hour he should be up

here...so I gave him till 9... I got no choice...my uncle

called again... I said just let it go till 9.

GUERRA : Yeah...in other words...he spoke to you tonight...he

stayed in touch with you.

MENGRONE : No the says.

GUERRA : Probably won't hear from him anymore.

MENGRONE : No, you'll hear...if he calls me, I'll call you...I want

you with me.

GUERRA : All right.

MENGRONE : Ok...bye...bye.

GUERRA : Ok...Pete.

End of Conversation

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 9, 1973, AT 9:42 PM, THERE WAS AN OUTGOING CALL TO 212 798-7506 FROM PETER MENGRONE TO LOUIS GUERRA

Conversation # 878 EXH 31

GUERRA:

Yeah hello

MENGRONE:

Hello there

GUIERRA:

Yeah, I haven't heard from him since you called. I got Bobby

Gooch on the other phone

MENGRONE:

Well do me a favor.

GUERRA:

Yeah

MENGRONE:

Explain to Bobby Gooch that the Yom just called my uncle at nine thierty and said ya know he just wants one of my family to hold till we decide to rectify the situation. Tell him I would like to borrow the item he had in the car because if somebody comes near the fuckin house I'll destroy them OK?

GUERRA:

They were gonna take somebody from your family

MENGRONE:

Ta hold this is bullshit theres no reason

GUERRA:

Yeah, this is goin too far.

MENGRONE:

No this is ya know no reason this they sat down like gentlemen everything was fine I had my people make a committment and now its like a quarter to ten and nobodys even called, theres no reason

GUERRA:

Wait a minute hold on, (talks to someone else) yeah Pete

MENGRONE:

Yeah

GUERRA:

YEAH, Bobby gonna give you a call see what he can get for ya

MENGRONE:

OK

GUERRA:

Ah alright ah wheres your uncles now, nobodys around.

MENGRONE:

They're sitting there at the club.

GULERRA:

They're at the club, and you really think them shines gonna come up

and put pressure on ya or what.

MENGRONE: I just called you didn't I?

GUERRA: Yeah

MENGRONE; In other words to them it was a take give then, it wasn't

even meant maliciously it was just as he said it, he sez

ya know show good faith give somebody up and the only ones are

my people my family

GUERRA: He's got to be out of his mind, how could you (inaud) you don't

know what this Al is doin.

MENGRONE: Thats just the point I

GUERRA: Don't give up nobody because I ain't got this guy I mean I love

Al, I'm with him one thousand percent I don't know what he's

doin, he's goin crazy don't give nobody up.

MENGRONE: OK

GUERRA: Ya understand

MENGRONE: Yeah

GUERRA: Alright ah Bobby will give you a call he'll try and bring you

some equipment.

MENGRONE: OK because I'm not

GUERRA: Meanwhile I gotta reach out I got I gotta ah big forty five I got

one half here and half downtown I can't even I don't even have a car

it'll take me an hour to put it together.

MENGRONE: Naw forget it, let me see what the hell he's got available even if

its a fuckin grenade I'll fuckin blow the car up.

GUERRA: Alright don't give nobody up tell him to stay away till you call them

MENGRONE: OK

GUERRA: I'm still sittin here I got my jacket on I'm waitin from eight

thirty with my jacket on.

MENGRONE: I don't understand it, He it would ob been just as easy say heres

the money give to them then tell them if we could do something

tonight just meet us.

GUERRA:

Yeah

MERGRONE:

What the hell he's doin is beyond me

GUERRA:

I don't know I don't know

MENGRONE:

I'll talk to you a little later.

GUERRA:

Alright

MENGRONE:

LET me get off the phone

GUERRA:

Alright

MENGRONE:

Bye bye

GUERRA:

Bye bye

THE PROSECUTION CONTENDS THAT ON
SEPTEMBER 9, 1973, AT 10:20 PM, THERE
WAS AN OUTGOING CALL TO 212 798-7506
FROM PETER MENGRONE TO LOUIS GUERRA
Conversation: 879 EXH 35

GUERRA:

Hello

MENGRONE:

Would you believe this kid Bobby never called me

GUERRA:

Oh Christ

MENGRONE:

Where's he at Al's mothers

GUERRA:

No, he's at his house oh boy, I'm sittin over here, I den't known, fuckin nut. Their getting unreal on everything, I'm still waitin here for Al. 8:30 he's supposed to call and you haven't hear from him since he spoke to you direct?

MENGRONE:

No, he said tell him in an hour it 'll be all done and that was it I never heard from him again.

GUERRA:

He must he must be someplace to get it, he gonna its gotta work out, he couldn't he wouldn't just say yes (inaud) it must be taken time trying to get the OK, now they gonna got get it.

MENGRONE:

Wouldn't he call and say ya know sit tight on (inaud)

GUERRA:

On he your know Al very well. Probably why he hasn't called me either he's gonna give me a big surprise, Hey "I told ya everythings alright, don't worry about it I took care of everyting and he's serious he doesn't realize people's sittin around waitin he's got me from 8:30 waitin over here, he thinks as long as he does something that everybody OK once they finish waiting.

MENGRONE:

Yeah I run out of time in ten minutes I don't know what else to

say cause

GUERRA:

What?

SA 122

MENGRONE: Well they said by 10:30 or (INAUD) call my uncle back and find out what they decided to do.

GUERRA: Yeah like I say Pete you gotta do what you gotta do, just can't let anybody bother you family thats the thats the important thing.

MENGRONE: Well thats what I figured.

GUERRA: (INAUD) Shit about sain face (INAUD), But I, I think it doesn't make much difference what I thin, see he told he's pullin he must be doin that right now

MENGRONE: Or else he wouldn't be huck a mocking me. Make somebody call up for me, talk to him to play the game.

GUERRA: Yeah, no, no, their be no reason for him to do that, there'd be no reason, did he say who you were talking to or anything like that or what?

MENGRONE: He say I'm with they guy now he just wants to know about the other ya know.

GUERRA: Yeah

MENGRONE: Like ya know to guarantee it.

GUERRA: Well thats what they were concerned about, ah alright, I'm still here if I hear anything 1'11

MENGRONE: OK

GUERRA: I'll get backto you Pete.

MENGRONE: If you want just ring my phone once hang up then ring it again

GUERRA: Alright

MENGRONE: OK

GUERRA: Good enough right

MENGRONE: Bye Bye

THE PROSECUTION CONTENDS THAT ON SEPTEMBER

9, 1973 AT 11:45 PM, THERE WAS AN OUTGOING

CALL TO 212 798-7506 FROM PETER MENGRONE TO

LOUIS GUERRA.

Conversation: #881 EXH 36

GUERRA: Hello

MENGRONE: Yeah

GUERRA: Not a word

MENGRONE: Last time I'll bother ya

GUERRA: What ?

MENGRONE: Last time I'll bother ya

GUERRA: If I hear anything, I'll, we'll call ya your not bothering me

believe me Pete alright, If I do hear anything I'll ring once.

Has anybody been ringing your phone at all?

MENGRONE: Noboby at all. I saw a couple of Cadillacs go by outside so I

stayed in here.

GUERRA: Yeah

MENGRONE: And ah

GUERRA: Beautiful, I'm still up if I hear anything I'll get right to ya.

MENGRONE: Let me ask you a question. Have you heard from Louis DEPORE?

GUERRA: Not a word from him either.

MENGRONE: Can you reach him?

GUERRA: Ah what do you want me to tell him?

MENGRONE: Just ask him if find out if he knows what went on today that know

what a problem he's this kid started.

GUERRA: I'll give him a call now.

MENGRONE: If he wants ta, call me because I missed the last night I wanted

to him and explain to him ya know who was involved and so forth,

but he missed me at the club he was there early and never came back.

GUERRA: Yeah well, ah, I don't even think Louie was with them today, I think it was Charlie, Jimmy, and ah Al thats what Bobby told me.

MENGRONE: You don't think this

GUERRA: Alright, I'll give Louie a call to see if he knows anything

MENGRONE: You don't think this kid is crazy enought just to go home and let it sit, he thinks till tomorrow morning right?

GUERRA: Oh, I hope not. I hope not.

MENGRONE: Cause they

GUERRA: Alright, I'll try him now.

MENGRONE: The only shot I got is showing up with either the money or the goods. Otherwise its dead time and I I don't even believe it.

I'm in a fuckin state of shock from this morning right.

GUERRA: What's your wife doin. How's she she's knows whats goin on?

MENGRONE: Yeah, she's totally paranoid thats, ah him and I we'll straighten this out afterwards. What he's done to my family he will pay for cause this was not fair.

GUERRA: Lets get this. Lets get through the night first alright. I'll try Louie then I'll try an I can try that Motel again. Alright, I'll try to make a few calls see if I pick up where he's at.

MENGRONE: OK

GUERRA: Alright

MENGRONE: I'll see ya

GUERRA: If I get any information I'll ring once.

MENGRONE: Thank you

. GUERRA: Then call back

MENGRONE: OK Bye

GUERRA: Bye

JPL:ik 1/8/75

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 10, 1973, AT 12:40 A. M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ROBERT BROWNING TO PETER MENGRONE.

Conversation #882 FXH 37

BROWNING:

This is Bobby. Did you hear from him yet?

MENGRONE:

Not at all, Bobby. I thought you were gonna call earlier. I need something,

ya know.

BROWNING:

Hah?

MENGRONE:

I though you were gonna drop something

off here.

BROWNING:

Louie wanted me ah call; but I didn't know what -- what was he saying? I was waiting for a phone call; so listen, Peter, what's going on now?

MENGRONE:

He's got me.

BROWNING:

Hah?

MENGRONE:

He's got me in a trick bag.

BROWNING:

Who?

MENGRONE:

The Yoms who sat with my uncle.

BROWNING:

The what?

MENGRONE:

They sat with my uncle.

BROWNING:

Yeah.

MENGRONE:

And two good fellows today and they were assured that the deal would, you know.

SA 126

BROWNING:

Well, listen Peter, listen to me. Here's the word ah can you; you talk to these guys, ya hear, and you tell them everything will be straightened out tomorrow, ya understand? Here's what I thing we could do. Now, I don't know what he's doing -- my cousin -- or what's going on; but, I, I'm gonna go see someone else, ya understand that I know; ya understand with Louie, ya hear?

MENGRONE:

Go ahead.

BROWNING:

And I'm gonna see what could be done and then we could still, ya know, in other words forget about that just to see what has to be done. Ya know that I mean? I don't know what he's doing or what, or what happened. I don't know what happened.

MENGRONE:

He called me; he called me from --

BROWNING:

He went downtown; he didn't call me up. I asked you when you heard from him, to call me up. I mean, ya know got 2 days waiting, 3 over; here, like an idiot wondering what's going on. Now I hear that this here. I thought everything was all arranged with you.

MENGRONE:

No. They're looking for --

BROWNING:

I thought he seen you; now, now Louie told me that they're threatening your family, these guys.

MENGRONE:

They want me to give up one of my family to hold --

JPL:ik 1/8/75

-3- Conversation #882 (Continued)

BROWNING: Yeah, and whois it, who was that? You

tell them that, ah, everything be done tomorrow; tomorrow me, you and Louie I'll see what can be done. If we have to do it that way, we do that; put this on the side for now, just until we see, ya know cause actually they're right,

you know what I mean.

MENGRONE: But he is trying to get my family

killed. Is he this much of

headcase?

BROWNING: No, I --

MENGRONE: He called; he called me from downtown.

BROWNING: Peter, I didn't see him; you talk to him more than me. I don't even know,

you know, who's calling me up, Louie.

MENGRONE: Well, Louie and I are set. He called me

and said we'd be there in an hour. Tell them at 10 o'clock everythings been set;

never shown up, you know.

BROWNING: Yeah, well I'm waiting here. He called

me up, yahear, cause we wanted to

something else, me and Louie, we were

gonna tell him.

MENGRONE: Hm, hm.

BROWNING: And I haven't heard from him. He's

supposed to be here; he don't come, you know what I mean. I'm all dressed. I'm waiting to go out, and he don't come, you know what I mean. That Louis called me up a few times and now Louie told me

this their threatening, threatening

your family or something.

JPL:ik Conversation #882 (Continued) 1/8/75

MENGRONE: They want somebody as a hostess, in other

words. I actually made my kids come in tonight because I saw a car go by with,

ya know, some guys in it.

BROWNING: Yeah.

MENGRONE: I said look at this shit, you know.

BROWNING: Well, well.

MENGRONE: What do I do?

BROWNING: Well, you have something over your house,

don't you?

MENGRONE: I got one piece. What am I gonna do

if anybody comes around, I'll blow.

BROWNING: No, no; but I'm just not for that;

it shouldn't don't, that you talk to this

guy, you know him don't you?

MENGRONE: You can't talk to them anymore, you know

why, because --

BROWNING: Just tell him talk to him, in other words,

tell tomorrow Peter say we'll say tomorrow

night, 10 o'clock, say we'll try and

straighten everything out, ya understand,

because what I'm saying is even if we don't do no with Al and nothing like

that, ya hear, me and, I'll go and speak

to this other guy Louie; whatever we have to do, we'll try and see what we

can do.

MENGRONE: A stupid question, Bobby, Ok, a stupid

question. Would it be just as easy to show him the money like we were supposed

to?

BROWNING: Yeah; but I don't even, that's what I

want to do; but where is he?

Conversation #882 (Continued)

MENGRONE:

He said he was downtown with the man; have the man get on the phone to talk to me to guarantee that I would get this money off Ernie which I did; there was no problem cause my uncle --

BROWNING:

Yeah, but, so now what's the big problem now? I haven't, I haven't even heard from him; I'm just saying if worse come to worse, ya understand, in other words I'm just trying to do this for you. You know that I mean.

MENGRONE:

But they will be up here tomorrow morning.

BROWNING:

Ya know, if I do the wrong thing, it's my cousin and everything, I don't know; I don't know even what's going on from that. The guy hollered at him, ya understand? Downtown now what is he? Is he, I mean he went to see him right?

MENGRONE:

Yeah, he spoke.

BROWNING:

The guy was mad at him. He had him wait. He lied too from what I understand; he said one thing and he it was something else, ya know.

MENGRONE:

Exactly.

BROWNING:

I mean down there, they're right too, ya know what I mean

MENGRONE:

Yeah, well the only problem is --

BROWNING:

From what he say but now I don't know, like I'm supposed to hear from him; I don't hear from him; I'm waiting for 2 days; I mean let's try and get this; I mean, ya know, everybody wants to earn;

you know what I mean, Peter?

Conversation #882 (Continued)

MENGRONE: The way it was left off, ok. They were

told it would be rectified today. This is because Albert said he would take

care of it.

BROWNING: Yeah.

MENGRONE: Ok, it is now almost one o'clock at night;

they had been waiting since 5 o'clock; either get their money or a piece of

goods.

BROWNING: Right.

MENGRONE: Just one piece, in other words even to

the point Louie L. Pore, I mean not Louie Guerra, Louie, ah, insurance.

BROWNING: Guerra.

MENGRONE: Was gonna take the 1/2.

BROWNING: Right.

MENGRONE: And wack it because I've got a guy on the

line tomorrow. That spick called again; he's looking for that same 1/2 for 21.

BROWNING: Yeah.

MENGRONE: So, I told Louie you wacking 1/2;

we get 21 for that piece right off the

bat.

BROWNING: Alright; listen how much does, does

do these guys pay for ya understand?

MENGRONE: Right, downtown? You supposed to--

JPL: ik 1/8/75 -7-

Conbersation #882 (continued)

BROWNING:

No what you gotta give them.

MENGRONE:

They were paying 35.

BROWNING:

Oh, oh.

MENGRONE:

AK, ok, ok.

BROWNING:

That is well, what I'm sayin', worse comes to worse, I got someone also who I'll go to, but I don't know; in other words it'll cost me 33, I'll take you right here with me; we'll do everything???????????????????? I'll talk to you; I mean ya under-

stand.

MENGRONE:

What'll I use for money?

BROWNING:

I'm just saying, all I'm just gonna go talk to the guy; I'm gonna see ya understand, you know like we give him like a guarantee. I'll just give me the thing, ya understand, and then I mean that's, that's if worse come to you know what I mean; don't say nothing

to nobody.

MENGRONE:

I'm not gonna say.

BROWNING:

What I'm saying to you, ya understand I'll speak to Louie tomorrow myself in person, we'll see.

MENGRONE:

And he goes so far as to tell me not to say nothing to Earl about what it was all about; that I should say it was about trucks; he's still protecting the other one and meanwhile these guys were to my house already today.

BROWNING:

No one's protecting you; that's the only reason why I'm calling up, cause I don't know.

MENGRONE:

. . .

But they been, they been to the house where do I go now? They got me pinned here.

BROWNING:

Well, here's what you tell them; you talk to guy and 'ell them; listen you waited 2 days; say, wait one day; say, do that for you, ya understand, and if they don't want to do that, then call me back and whatever, I'll see what I could do. Who I could send, ya know, go up there or something; send someone there. I mean, ah, I mean they're right; and he's right too; but I just wanna, I just, ya know, I don't know what he, he, he tells people; one thing and he does something else; that's what I don't understand, you know what I mean? Like I'm waiting here 2 days now Louie calls me up and tells me there's about threatening you. you know your, I mean that aint right, you know what I mean.

MENGRONE:

My wife is fucking paranoid. She sleeping with the kids for fear something gonna happen, I mean, ya know.

BROWNING:

Yeah, I you, I, I just; that's why I'm saying this here ya understand? That something could be worked out; well, I just wanna; I haven't seen my cousin and spoke to him; the last time I see him, I was with you, you know what I mean.

You should have just said here, you hold MENGRONE:

the money, Peter, then I coulda showed

the Yom all he --

That's what he shoulda did, yea. BROWNING:

All he wanted to do is see it. MENGRONE:

Yeah, (inaud) just hold and then if these BROWNING:

people if they mad or they're not mad,

him, you know what I mean.

But the point was the guy didn't even MENGRONE:

want it back; he says just let me see it so I know you got it and I couldn't

produce it and I put him off all and when he day yesterday finally called me for the showdown I said, "I don't have it with me but I'll have it at a certain time." He said "That I wanna see," don't make me believe you're not honorable because

he's believed me for 6 weeks.

Yeah. BROWNING:

And Louie was supposed to bring it over MENGRONE:

sit with it, show it to them and then go

back.

That's what I heard, but then--BROWNING:

And nobody shows --MENGRONE:

They didn't meet Louie; they didn't BROWNING:

meet me; they was picking me up; they didn't do this; they didn't do that; I mean you know that's one thing, I

just wanna know, you know I don't --

Conversation #882 (continued)

MENGRONE:

I'm just laying low.

BROWNING:

I just figured we just try and do the right thing, but I don't know; so meanwhile what I just said, yaknow, that's between me and you and when, if anything does happen we'll talk about that, ya understand?

MENGRONE:

Well, try to get to me in the morning then bub? Or also if something turns.

BROWNING:

If you hear from him or something, let me know what's going on; you know what I mean, just what's going on, ya know what I mean.

MENGRONE:

Well he's not doing the right thing.

BROWNING:

You, I mean, I feel now that I didn't earn a dime, you know that I mean.

MENGRONE:

Well, you were with me the other night

right?

BROWNING:

Yeah.

MENGRONE:

I came right to you then and

BROWNING:

No, no, no I'm not sayin' you -- I'm sayin' you, I'm sayin', ya know.

MENGRONE:

If there are no goods there he should of said so.

BROWNING:

Right. If they got mad at him, no, they, if they got mad at him for what he did, ya understand, that's the only thing I could see, ya know what I mean.

MENGRONE:

Well, if he thinks they got mad at him.

BROWNING: In other words, he made us do that and

that and maybe they were wrong; maybe they didn't want to have nothing to do

with him; I don't know.

MENGRONE: Are these the same people that him and

Ernie tried that thing with ah, Trees

and the other one?

BROWNING: No, I don't think so.

MENGRONE: Because it's gonna turn into a huck a

muck because I know for a fact my uncle

is going downtown tomorrow with

somebody.

BROWNING: Yeah.

MENGRONE: To see the guy.

BROWNING: Right.

MENGRONE: Because they know who it is and find out.

BROWNING: Right.

MEN GRONE: And like now what it's doing, it's mush-

rooming to where it's gonna wind up with the Yom goin' to guns, us goin'

to guns a a sit-down for what?

BROWNING: Well, for what? For nothing?

MENGRONE: For nothing because--

BROWNING: Well, I just, well it's stupid, you know

what I mean?

MENGRONE: Your cousin isn't bad off for money;

ok, he's got enough money stashed.

Conversation #882 (continued)

BROWNING: I know that's what I don't understand.

MENGRONE: All he's gotta do, let us show the fucking money like we're supposed to.

BROWNING: Why, what is (inaud) he just can't realize what he's doing, that's what I think.

MENGRONE: Well, he's liable to find out the way cause it's

BROWNING:

You know what I mean, I just was; I haven't heard from him; just what's going on, ya understand; now if Louie calls me and tells me that, you know what I mean?

bothering your family, I mean. Ya know, that

MENGRONE: They been to the house once already; they came back again tonight. I gotta

wind up wacking somebody and then I definitely have a problem up here, especially in this town; they know me that well. I mean that I gotta call up headquarters and say "do me a favor send over 2 detectives; I got

a problem here."

BROWNING: No.

MENGRONE: What is this shit; I gotta bring the cops

in; come on, we work out own side.

BROWNING: The only thing to do is like I said,

ya know.

MENCRONE: You can't reach 'em.

BROWNING: You don't hear from "em.

Conversation #882 (continued)

MENGRONE: He's sitting at a gas station waiting.

BROWNING: Do you have the number? You could reach

him?

MENGRONE: There's no way of calling 'hem. If I

call him, he's gonna say I wanna see you now; otherwise I come back up. He's been in touch with my uncle and now it's the fact a good fellow stepped in

even his word is no good now. This is

something that has to be corrected later because on Albert's word that he was comin' up in an hour. The good fellow stepped in and said"ok we will see you

at 10 o'clock."

BROWNING: Right.

MENGRONE Nobody showed up and it's now 3 hours

since then. You cannot make a fool

out of this man.

BROWNING: Oh! that was 10 o'clock tonight?

MENGRONE: Yeah.

BROWNING: I thought it was last night.

MENGRONE: No, from 10 o'clock tonight, ok, it's

(inaud) I don't even believe he'd

do this.

BROWNING: I don't understand what happened,

where he, what the, what is on; I'm just sayin' why I called up was because of that and till we see him, I guess I won't find out what's goin' on. But I mean still he's doin' the wrong , they making you wait; I'm callin' here; I don't know; I, you know what I mean.

MENGRONE: Where does he think I'm gonna go with

the money; I'm gonna show the Yom the money we're gonna still make the deal because he has to have the goods; where

does he think we're gonna go? Wer'e gonna blow a 6-week deal.

BROWNING: That's what I mean; it's such a, that's

the thing; I hear there's another; there's other things involved. Just if anything, I'll keep in touch with ya, ya understand?

MENGRONE: You know what I'm hopin'.

BROWNING: Hah?

MENGRONE: I hopin' to God that this guy was

involved that my Uncle brought in

from the club.

BROWNING: Yeah.

MENGRONE: Does not call Ernie's father.

BROWNING: Well, ah, listen I hope.

MENGRONE: Because they knew, with me; that's all

his father's gotta here is; wer're dealing and his sons involved with

Albert' forget the number.

BROWNING: Yeah, I know.

MENGRONE: And this is what I'm trying to avoid.

BROWNING: Yeah.

MENGRONE: I can handle it my way the father knows

I was getting him trucks; you let him get involved and think that we're doin'

this we're all gonn' get killed, for nothing.

BROWNING: Well.

MENGRONE: So, in other words, I'm gettin' it on

both ends; I gotta be careful where the good people are concerned and I gotta worry about some niggers. Makes no

sense at all.

BROWNING: I know.

MENGRONE: If you could get a hold, or you could

talk to this kid.

BROWNING: I'll (inaud)

MENGRONE: Tell him hey

BROWNING: I called up his house; his father's

house, he (inaud) he called up; he left word; he told Louie to tell me that he was gonna pick me up 6 o'clock tonight; from 6'oclock first it was one o'clock; first it was when they were home; well, they called up; well, they'll be in, their X upstate, their downtown, their on it; you know what I mean? I'm waiting here like a dummy; fuckin' 2 days. You know what I mean? You know I got other things that I could be fuckin' doin',

ye know?

MENGRONE: And meanwhile like he said to me; tell

the Yom if he's willin' to come downtown with us, and show them the money. We could pull everything there. The Yom comes with the attache case all ready.

BROWNING: Right.

MENGRONE: Already he says no problem; we just want

the stuff; let's go, and where's Albert

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MENGRONE; (continued) he disappears that important; that had a --

BROWNING: That's what I don't; that's what I wanna know; I don't understand, I

mean.

MENGRONE: Up till 9:30 I was in touch with him.

He had called me once to tell me.

BROWNING: He called; you spoke to him?

MENGRONE: Yeah; he called me at 9:30

BROWNING: 9:30 tonight?

MENGRONE: He was on his way to see me.

BROWNING: Oh.

MENGRONE: And that was the end of it; cause I

spoke to the guy on phone; he put somebody on the phone; I explained to him what happened with Ernie and sure enough he never showed; and based on him sayin he'd be here, I called the good fellow and said "Look the guys comin up; we can rectify the situation; so when the Yoms call you tell'em everything is worked out."

BROWNING: Right.

MENGRONE: And this man put himself on the line and

said they were doing it and now forget it: I don't even want answer if they call

because bad enough the Yoms call.

BROWING: Yeah.

MENGRONE: If this other guy calls and says I want

you down at the club, where do I go?

I gotta grab a plane right?

BROWNING: I don't know; I don't know what's

(inaud) just keep in touch with it:

Louie.

MENGRONE: That's all I can do.

BROWNING: Ya know.

MENGRONE: Louie's my one ah link with civilization.

BROWNING: Yeah, keep in touch with him and ah

I'll keep in touch with him and ah I'll explain to him what I'm talking about tomorrow when I see him, ya know? I mean, I'm hopin that we'll see Al tonight or you know we'll he ar what's goin on well know what's, what wer'e

doing over here; you know that I mean?

MENGRONE: We'll play it by ear.

BROWNING: But, I don't know; I don't know it's

a crazy kid; I don't know what he's

doin'.

MENGRONE: Crazy is one thing; he's your own relative,

ok.

BROWNING: He's my own relative; but I'm trying to

do; I'm make him; I'm tryin' to make do things right by him, ya

understand?

MENGRONE: You don't put a guy's kids on the line,

no matter what.

BROWNING: What?

MENGRONE: Ya, ya don't put a guy'd kids on the line.

BROWNING: That's what I'm talkin'; I'm mean things like that, ya know; then you know what I

like that, ya khow; then you know what

mean?

MENGRONE: He knows that these people are capable.

BROWNING: (inaud) definitely done right; that's all ah (talking to his wife) "I'm not

talkin' on the phone don't worry."

Alright listen Pete.

MENGRONE: Ok, don't get nervous; if you need me,

ring the --

BROWNING: My, my wife (inaud) talking on the phone;

ya know, well the thing is just; keep in touch with him; any problem, tell him to call me up and we'll see what we have to do, until, I mean, I'm hopin' tonight we'll know what's goin' on but if tomorrow we'll straighten everything out, one way

or the other.

MENGRONE: Ok; you know how to reach me? You know

one ring and then call.

BROWNING: Yeah.

MENGRONE: Ok.

BROWNING: Couie told me, alright anything call

Louie, alright?

MENGRONE: Ok.

BROWNING: I'm gonna call him now and explain to

him everything that I just thought of

and that's it.

JPL:ik 1/8/75 Conversation #882 (continued) -19-

MENGRONE:

(inaud) you guys.

BROWNING:

Alright, Pete.

MENGRONE:

Be cool; I'll talk to yiz later.

BROWNING:

Bye.

MENGRONE:

Bye.

End of conversation; transcribed by

P.O. Marino #14577

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 10, 1973 AT 11:41 AM THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS GUERRA TO PETER MENGRONE

Conversation: 891 EXH 38

MENGRONE: Yeah.

GUERRA : Hi Pete.

MENGRONE: Yeah, Louie.

GUERRA : Louie.

MENGRONE: I just tried you, I figured you'd call me.

GUERRA: Oh, good I been trying to get you a little while er, Pete I got bad news, I got bad feelings I heard some stories and er I been beat and I think you've been beat

MENGRONE: Go ahead.

GUERRA: I'm er, I'm, I'm blowing my stack, I haven't been able to reach them um I had it with them I'm umm its er I'm, I'm out thirty thousand myself over the pass couple of weeks couple of months between er my other deals, and the grass and shit like that, I can't see them coming across with anything, I think they all lost their fucking minds, now the only reason I'm telling you this is this way you, you do what you gotta do you know like don't, no sense holding back don't quote me or anything like that, either, do me a favor because I got er I gotta work my own little thing or try and get my money back.

MENGRONE: Right.

GUERRA : Alright, like even that, that box we put in your car, that was my money.

MENGRONE: Uh, huh.

GUERRA: That was my mine, they er I didn't see a nickle of that, I been paying rent in a couple of different places, the stashes, I been paying plane tickets back and forth I been loaning these guys money to party plus I got \$11,000 which is suppose to go to Italy (inaud) somebody mentioned to me where I felt I been completely used, they made me see something that wasn't really what it was suppose to be and had me swearing to people so er your step number one now is to do what you gotta do er er, step number two I'm reaching out to my old connections, I'm getting back with the people I was with, now if you still have any confidence in me and if you still around, that's not funny Pete I know, but if um you get straightened out I think you and I could do something make some money.

MENGRONE: OK, question, what did you hear, just fill me in so I'll know what is goin on.

and the state of the same of the same of the

GUERRA: Well the stuff I saw woulda made some nice pancakes, this is what I heard I can't swear by it, but just going back with everything else, remember I swore to you I saw it I cried when I put it back in.

MENGRONE: Um, hum.

GUERRA : (Inaud) I was told it had some good mix, good pancakes out of it

MENGRONE: Um, hum.

GUERRA : Now, this is not fact.

MENGRONE: No, who'd you get this from? Bobby?

GUERRA : No, I can't say.

MENGRONE: OK

GUERRA: I can't say that, it not fact, its er you know this is what I heard, I didn't put my finger in it I don't no, but er they owe me a ton of money and I keep getting, I'm, this guy guaranteeing that guy guaranteeing now why don't they wanna do that, why can't they come up with that one thing like we said, you see.

MENGRONE: Uh, hum.

GUERRA: That, this starts making me think, why, why won't they do it, is there anybody downtown, do you know who they spoke to downtown can you find out if he really pulled from anybody downtown.

MENGRONE: No, whose the guy Tony, downtown.

GUERRA: I don't know, I never met anybody downtown, I've never been downtown, all I do is get calls saying I'm downtown with these people I can't mention names, that's all I ever got.

MENGRONE: Er, er what did Louie LePore have to say.

GUERRA: I haven't spoken to Louie LePore, he's the same as they are, they ripped off one guy, one of my friends right from here, right from my house, now Pete nothing I'm telling you I could substantiate you have to understand that.

MENGRONE: Uh, hu

GUERRA: There's nothing I could prove, I maybe wrong but I just want you know now I feel.

MENGRONE: Uh, huh, now that means what I gotta do now is give them all up to the Yom's, the telephone numbers.

GUERRA: (Inaud.) I don't, I didn't even hear you say that, I know nothing, I told you nothing, you told me nothing, you know what I'm trying to say because now I still got to go out and try and get mine.

MENGRONE: Um, hum.

GUERRA: Now I feel bad, I feel bad that I've been sitting here talking to you on the phone telling you to take it easy, take it easy, take it easy and now I hear that I been just you know I was put out front because you and I talk the same language that you would probably trust me, I been used.

MENGRONE: OK, I'll ask you for one thing, OK.

GUERRA : Yeah.

MENGRONE: And nothing else, what's the name of the motel.

GUERRA: I er, Pete I can't do that you could find out, I'm sure you could find out, I can't do that Pete, I did more than I should right now, you know that, I'm way out of line even saying this, but I just can't see your family being you know being harassed like that.

MENGRONE: (Inaud.)

GUERRA : I don't like that.

MENGRONE: This is the point we're at now and that like if I knew the motel then I could probably mail them there.

GUERRA : (Inaud.)

MENGRONE: They, they wouldn't even know.

GUERRA: Thats no good, even if they didn't know, I know though, you gotta give me credit for that much Pete I er.

MENGRONE: What is it a local place or

GUERRA : Na, Pete

MENGRONE: Well give me a hint.

GUERRA: I can't, I can't give you do not pete, please, alright I'm, I'm doing more than I should right now but I think you deserve that much that plus I would like to do business with you when this mess straightens out and its like I say now, I don't know that it was pancake mix, I suspect, I was told somebody else thinks so but I couldn't swear to it you know, like if you put me up on a stand and said what was in there, I couldn't really tell you, I couldn't tell it was the real thing I couldn't tell it wasn't real, all I know is I saw the packages, nice sealed neat packages.

MENGRONE: Do you think he skipped or is he still around?

GUERRA: Oh, they're still around, they're still around, oh that's for sure, they're crazy they're still around they didn't go any place where are they going go? 30,000 isn't that much money to leave town with.

and the same of the sales and a section of the same of

MENGRONE: And he thinks he gonna beat me for 30,000 I mean er

GUERRA : I don't no what he thinks, I'm just telling you that, I, I can't be

you know

MENGRONE: A party to it.

GUERRA : What?

MENGRONE: He made you a party to it, that's the shame of it because he knew that

you know as long I was talking to I would sit quiet without getting

really involved (inaud.)

GUERRA : Right, right who gave you my number anyway, did you look it up or

somebody gave it to you?

MENGRONE: No I had it from before, I had it before when I first originally

started with Ernie, if I was going to get in touch with you, if I could

do something with the er eighty.

GUERRA : Ah, they give my number to everybody those guys, er then

MENGRONE: Is Charlie Chase involved with them?

GUERRA: I don't no, you see now I can't tell you anybody's involvement, I

can't even be certain that it is, all I can tell you is that I'm not confident anymore, I lost my confidence in them, I was the one that kept you sitting while I'm sure he's downtown, I'm sure he's gonna do

something you were taking my word that everything was gonna be alright.

MENGRONE: Um, hum.

GUERRA: And they had me you know saying that because I believed everything I told you I believed but I don't believe it approve. I'm not confident

told you I believed but I don't believe it anymore, I'm not confident like I was last night. I want to pass this on to you so you'll know

what you gotta do.

MENGRONE: OK, its gotta become a war, thats what he wants he's got it

GUERRA : (Inaud) Well alright Pete I'm I don't know from nothing what you're

saying ... whatever you gotta do you gotta do

MENGRONE: I gotta do, I got my uncle.

GUERRA : I didn't tell you nothing, they asked me I don't know from nothing

I'm finished with them I'm telling them that I'm finished with them. I don't want to know nothing from then no more. I'll give mine when I hafta, I no what I gotta do, first thing I had do is get you so you

could start.

MENGRONE: Question, can you get Louie LePore on the phone?

GUERRA : Yeah, what do you want to tell him?

MENGRONE: Tell him to call me, very simple, ring the phone once then call me back.

GUERRA : Alright, you can do me a favor.

MENGRONE: I'm not going to mention that I spoke to that you said anything I want

to talk to Louie LePore and have a message delivered.

GUERRA : Alright.

MENGRONE: OK

GUERRA : Don't say anything because then you know like I gotta do what I

want what I had to do now if you say anything take care I could be made

out to be a liar because I'm not no nothing definite you understand

all I'm telling you now is I lost my confidence.

MENGRONE: OK

GUERRA : Alright.

MENGRONE: Lets do this, get Louie tell him to call me right now.

GUERRA : Alright.

MENGRONE: Bye, bye.

END OF CONVERSATION

The Prosecutor Contends that on September 10, 1973 at 12:04 PM There was an incoming call to 914-668-0946 from Louis GUERRA to Peter MENGRONE.

CONVERSATION: 898

1st Part N/P with wife

MENGRONE: Yea

GUERRA: Yea Pete

MENGRONE: Yea

GUERRA: Its Louie - I wasn't able to reach Lapore - I've been trying to call you for ten minutes, the lines been busy

MENGRONE: I did what I had to do

GUERRA: Alright

MENGRONE: Thats a fucken

GUERRA: Thats why I told you, you know I lost confidence I couldn't in all honesty say - sit tight - anymore

MENGRONE: This kids so stupid

GUERRA: Hah - stupids not the word

MENGRONE: He knows they know his parents house, he knows there gonna go there to fucken to blow the whole fucken place up

guerra: Alright - I'm not looking to cop out for myself or anything
like that but just don't you know, don't let it that I said
it - alright

MENGRONE: No this is strictly something I got to do

guerra a

GUERRA: A what?

MENGRONE: Something I gotta do on my own - has nothing to do with you

GUERRA: Alright

MENGRONE: I just ah - so in other words, in actuality all the bullshit with the 15 pieces and all that never existed

GUERRA: It would appear right now, thats the way it would appear how do you think I feel now - I put up a thousand here and
11 thousand there and 800 here and I need some expense money.

MENGRONE: Did he wack up the 30 G's

GUERRA: I don't know, I don't know if he did he did it without me,

I'm asked to see it, all l've been told it intact, Don't

worry, thats good, thats good, don't worry, thats what I've

been told, now they haven't come out and told me nothing, its

just that I lost confidence - but I just can't tell you what

I hears or who I heard it from.

MENGRONE: Well if you would tell me what you hear, or maybe I don't care who you heard it from

GUERRA: This was I know in my own mind its ah - I told you the package that I saw I heard it wasn't a real package.

MENGRONE: They made it up to look like a package

GUERRA: Yea - they let me see it and they let me put it back in the car - right so I/m going thru money right down the line too, trying to get bailed out - alright well look - if you come out of this alright -

MENGRONE: How am I gonna come out of it? I'm gonna wind up gettin fucken killed or kill somebody, what are we talking GUERRA: Now the shines are holding you responsible

MENGRONE: Of course

GUERRA: What about your Uncle they can't help you

MENGRONE: Ah - They're on their way here now

GUERRA: What

MENGRONE: There on the way here now, but then everyone gets called in it

GUERRA: becomes another Frankie Matthews thing

Do me a favor try to keep me out of it - cause up to now

I've been legitimate

MENGRONE: No I'll keep you out of it - its like ah, i s just ah if you give me the name of the motel, like I mean - if you
give up something I can use fine.

GUERRA: Pete, you wouldn't do it either, I (inaud)

MENGRONE: Let me ask you a question?

GUERRA: Yea

MENGRONE: If you called me and said their looking to snatch your son

I wouldn't do it? and you know me only a short time - think

about it

GUERRA: Whose looking to snaach your son now, the shines?

MENGRONE: Yea

GUERRA: All I can tell you is I'll come and take your sons and let them stay with me, thats all I can say I can't be doing that, ats ah - I gotta draw tha line someplace, asit is now I ah did a bad thing, as it is now you know that too.

MENGRONE: Well

GUERRA: If the word ever gets out Pete, me and you gotta stay there
and we're gonna fight - even if you can't get out of your
front car seat.

SA 152

MENGRONE: That would never be, I would never give you up for that you did the right thing

GUERRA: D'm trying to get you - just so you could make the right move thats all

MENGRONE: Do you vouch for Charlie Chase being legit? or am I gonna have to bull him out of the apartment?

GUERRA: I can't vouch for anybody

MENGRONE: OK

GUERRA: I'm not vouching for thats why your still sitting where you are and their threatening your son, because I've been vouching up and down the line now, I may be wrong, I don't know but I lost confidence

MENGRONE: But Louis Lapore wasn't home hah?

GUERKA He wasn't home

MENGRONE: Alright, let me call his mothers house first and start from there.

GUERRA: Alright

MENGRONE OK

GUERRA: You know what it is - he just got tired of waiting

MENGRONE: Thats all

GUERRA: Alright - how long could you wait - the only reason you waited this long, truthfully, why is the only reason you waited this long?

MENGRONE Because of you

Right

OK

GUERRA: Alright

MENGRONE: He enjoyed himself

GUKRRA: How do you think I feel - how do you think my wife feels over here that I fucked you up like this and they made a sucker out of me to make a sucker out of you hah.

MENGRONE: Well it was nice money we made, meanwhile he couldn't do nothing (inaud)

GUERRA: Fools, there fools, but look-you get yourself straight, you get out of this alright and we'll make money - I still got some friends, there not connected-belive me I got friends that are not connected - they earn money

MENGRONE: This guy still wants to do business?

GUERRA:

Who

MENGRONE: This Yom.

GUERRA:

On well

MENGRONE: He would do business, we could grab a piece today, no problem

GUERRA:

I couldn't do that, but uh-if this comes out, if you get out of this alright, get your money and everything like that, I'll be or you got my number. Oh call me anyway- and let me know what happens, if you need somebody to take your kids away and something like that, I'll do what I can for you.

MENGRONE: OK Thank you, I'll get in touch with you.

GUERRA: Alright Pete, just take take care, and I don't know what to say. Its just that I want you to get yourself straightened out.

MENGRONE: I gotta, I'll fight for my life, this is the position he put me in OK?

GUERRA: I'll talk to you later.

MENGRONE: OK BY BY

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 10, 1973 at 7:55 PM, THERE WAS OUTGOING CALL FROM PETER MENGRONE TO LOUIS GUERRA (pen register was turned off)

Conversation #935 EXH 40

GUERRA: Hello

MENGRONE: Yeah, its me. I just got back.

GUERRA: Oh Pete.

MENCIONE: Yeah

GUERRA: Wh, What happened?

MENGRONE: I got its - its totally out of hand O'K very simple.

GUERRA: Yeah

MENGRONE: They got the kid.

GUERRA: What kid?

MENGRONE: Mine OK?

GUERRA: They took

MENGRONE: And this and this fuckin hardon I was up at the fuckin apartment.

Ernie went upstairs. Won't give up the fuckin money OK. Now
my wife already called my father OK? And their coming up here
the next step.

GUERRA: Wait - Wait start from the beginning. The shines got your son?

MENGRONE: Yeah theres, theres no problem. He assured me nothings gonna happen to the kid (stutter) just so happens my son knows him cause he was (stutter) up my place around ten times OK?

GUERRA: Yeah

MENGRONE: My father wants to call in the FBI. Do you know whats gonna happen now, I mean (stutter) no reason for this.

GUERRA: No.

MENGRONE: (stutter) I gotta go to fuckin jail now cause (stutter) I gotta tell them what happened.

GUERRA: No, what did Ernie have to say?

MENGRONE: He ran up there, we ran around all day today he says look, I'll give the shines my money. Don't worry about it. Its there.

Here take the fuckin thing OK goods and all you know it was like you know offered right there, just maybe that'll pacify him, its gotten to the point all the shine knows is he got beat you see.

GUERRA: Yeah.

MENGRONE: Before we had a nice quiet thing all he had a do today was pull a package and we (stutter) were out the woods no problem.

GUERRA: I know I know that a I been screaming it

MENGRONE: So we took a ride up to a Albert house cause I had driven Albert home one night. I figured maybe I catch him here I talk to him, so Jimmy's downstairs and I see Jimmy packing the car you know, so Ernie goes upstairs and then goes after him. I stay down in the car Ernie comes down with the gun out meaning like he hadda come outa the building (inaud) there was gonna be a beef and the other guy wanna to wack him.

GUERRA: Yeah

MENGRONE: Meaning Jimmy. This guy Jimmy keeps pissing in Alberts ear for some reason he says well we'll have a sit down next week over this you bring your

GUERRA: Next week what are they what are they talking stupid?

MENGRONE: Yeah, as a are they mazy now Tony Brashole hadda call him in today you know he says tell him I want him down the fuckin club or I send my people after him, the shine wants me tho give him up, I can't give Albert up because then I turn out to be a fuckin rat.

What does he want me to do give sup my son for him.

GUERRA: No you have no choice. I don't care what anybody says

MENGRONE: That fuckin bastard.

QUERRA: Al know what the story is.

MENGRONE: He doesn't give a shit. He to you know whats he tells Ernie says aw that wasn't right they shouldn't a done that this is what you told him and meanwhile Ernie won't let me go back up into the apartment that his kid is in the apartment with him n I'll kill all of them.

GUERRA: Peter wadda you want me to do I'm here (stutter) I mean wadda you want me to do?

MENGRONE: Louie, I'm sick OK?

GUERRA: Alright, what would you like me to do um when I say wadda you want me to do. I didn't it as a wise guy what would you like me to do what can I do?

MENGRONE: I want the money that kid has the money in the apartment.

GUERRA: L's got it up there alright. I go up there I'm gonna start shooting too um I don't even know where he lives whats his address anyway?

MENGRONE: Its in West Nyack that fuckin thing on the water.

GUERRA: I've never been there West Nyack what (inaud)

MENGRONE: You get off exit eleven.

GUERRA: Ernie's calling me up at eight olclock I'll go out with Ernie,
Ernie and I (inaud)

MENGRONE: Ernie hasta meet with me to meet the Yom at nine.

GUERRA: Yeah I'll just fuck around here with my forty five (inaud) I got the thing cocked and lo I don't cock it when I'm shooting it.

MENGRONE: This fuckin guy Jimmy is he crazy?

GUERRA: He's a freehole they all freehole.

MENGRONE: He's got such a hardon for Ernie over this girl he keeps telling

Albert don't drop nothing have a sit down what sit down, we're

dead OK my wife.

GUERRA: He knows better than sit down with Charlic.

MENGRONE: My wife gives up everybody and she's right

GUERRA: I don't blame her.

MENGRONE: OK

GUERRA: I don't blame her not one little bit.

MENGRONE: She has all the fuckin numbers.

GUERRA: (inaud)

MENGRONE: She has all the fuckin numbers all the names from Tony Brashole on down.

GUERRA: Yeah, I don't blame her, I don't blame alright a on a Al don't even have a telephone there he's got the doorman's number, its a he won't come to the phone though thats for sure as shit where the fuck is it. I should given you the fuckin number this morning the motel.

MENGRONE: Their not even at the motel don't you understand?

GUERRA: What

MENGRONE: Jimmy is with him in Nyack.

GUERRA. Yeah I know up at the house.

MENGRONE: Yeah

GUERRA: Yeah his house

MENGRONE: And this in other words he made no attempt today to go out and do nothing.

GUERRA: No

MENCRONE: OK, Louie La Pour called.

GUERRA: Yeah

MENGRONE: And said this was supposed to be and honorable move and all this shit.

GUERRA: Yeah that what I though Louie thought so too. I think Louie,

(inaud) cause Louie was involved in a rip off once before and he he

didn't like the idea, that you know cause he got burnt and his brother
he wouldn't have brought his brother in if it was a rip off they had

SA 1.58

nineteen guys there you don't even bring that many guys in on a rip off but them two morons (inaud) them two morons had everybody involved they get everybody down the drain uh.

MENGRONE: My fault cause I wrote everything down like you know who I was keeping in touch with so I know what the fucks goind on you know.

GUERRA: , Yeah

MENGRONE: AND (sigh)

GUERRA: Alright well I'll tell you this much, if they call me I'm just telling your wife I'm just trying to sell life insurance

MENGRONE: O course hey

GUERRA: Thank, Thanks for warning me anyway, I can get everything out a the house I brought the Tommy gun here too now tonight

MENGRONE: See now I asked I asked Bobby last night to give me something to protect myself right.

GUERRA: Yeah

MENGRONE: What's he call me at one or two o'clock and ask me how I'm doing What and I gonna do sit here with one thirty eight thats enough

GUERRA: I went out this morning and I picked up the tommy gun. I got it here but it could do you good now.

MENGRONE: Ah it will do me good if I gotta go after them OK.

GUERRA: Whats your father gonna do he'll let you go up after them.

MENGRONE: (Sigh) my fathers straight OK, my father knows nothing except to pick up the phone and have agents here in five minutes.

GUERRA: Yeah

MENGRONE: OK, this make sense

GUERRA: Hey when the little kid is involved, you better believe it makes sense. I'm a well go up there (stutter) alright we'll go up there

we'll get a couple guys together, we'll go up there, we'll just take the money away from Al and Jimmy thats all, I'll call my brother in-law. I don't have anybody connected, but we'll go up and we gotta blast we'll blast thats all. I don't care, I ain't letting no kids go down the drain for a freehole a lemme call up by brother in-law tell him to come on over here.

MENGRONE: Want me to meet you someplace, I'll go with you so I can show where, I go upstairs with you.

GUERRA: Ernie gonna call me in a few minutes let me see what Ernie's gonna do.

MENGRONE: OK

GUERRA: Alright, I'll talk to you, I'll call you back in a little while

MENGRONE: Yeah, I won't answer the phone, ring once and call back

GUERRA: Alriant bye, bye

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 10, 1973 AT 8:30 PM THERE WAS AN OUTGOING CALL TO 212 798-7506 FROM PETER MENGRONE TO LOUIS GUERRA

Conversation # 944 EXH H1

GUERRA: Yea, Hello

MENGRONE: Yeah, Ernie ever call you?

GUERRA: I just spoke to Ernie.

MENGRONE: And what does he say to do?

GUERRA: Ile's gonna go talk to the shines, he wants me to call Al. I can't even find the fuckin number of the doorman he didn't have it either, ah, he wants me to meet him there at 10 o'clock. He'll have a couple of guys, and I guess we'll go from there, but first, he wants to talk to the shine and try and get the kid back. Try and give me a couple of days and we're definitely gonna do something.

MENGRONE: Yeah, I'm totally out of it now. I haven't slept in two days and I don't believe that this fuckin kid actually said like fuck my kid, because thats what it is you know and a

GUERRA: You know, I'm not a squealer at heart myself, but I turned in some guys in one time when I was taking a rap I was going down, I didn't even ask them to come front for me. I just asked them for some money and I was (inaud) and they told me fuck you, you got caught, but I turned around and put them right where they belonged. I ain't telling you what you should do, I'm telling you what I did

MENGRONE: I'm just telling

GUERRA: I don't know what I would do in this situation myself, but I tell you, I did that, at the it a rough thing, OK

MENGRONE: You know, don't even know what to say to the kid, like I get him back and he says ah like what was going on with us you know

GUERRA: Yeah, well did you talk to this kid?

MENGRONE: Yeah, I told him their daddy's friends and there not gonna hurt ya.

GUERRA: Yeah, thats a nice fuckin experience for your kid, how old is he?

MENGRONE: Hah, 9

GUERRA: 9 hah, whats the name of the building he's at?

MENGRONE: You know, I don't even know, just like the West shore, whatever the fuck they call it.

GUERRA: I never been there, is that where his wife is?

MENGRONE: Yeah, if you go up you get off, it just says West Nyack the exit

GUERRA: Well I'll wait for Ernie and we'll go there together, I'd like to give him a call to just to find out where ah

MENGRONE: Well what is he tryin to prove?

GUERRA: I don't know, I really don't know you think he's gonna have any luck with these shines?

MENGRONE: The shine is looking to kill somebody ok, the shine, honestly said

GUERRA Let him kill him there, what the fuck is the matter with you?

Its your 9 year old son, what are you another kind of fuckin moron? So what if your a squealer and you get wacked. alright.

So what

MENGRONE: I don't give a fuck if I get wacked don't you understand that

GUERRA: Alright

MENGRONE: I said that from the beginning.

GUERRA: You gonna let your son stay there because you don't wanna be called a squealer hah, Anybody hears me talk like this their gonna call me a rat fink punk, but I stand up the whole shit but not when they start giving up 9 year old kids.

MENGRONE: Hah, thats why I wanted the machine gun, I was gonna use it on the Yom.

GUERRA: I got it, I'll put it together, my brother in-law is bringing the other half right now, I got 1/2, I picked up the other 1/2 downtown, the other 1/2 is on its way.

MENGRONE: OK, I'll be with Ernic we'll meet you 10 o'clock.

GUERRA: At the Web right?

MENGRONE: At the Web yea

GUERRA: Alright, I'll have it

MENGRONE: I'll see you then

GUERRA: Alright

MENGRONE: Thanks again Lou

GUERRA: Right, hey I did nothing, you keep saying thanks

KNKK

MENGRONE: Just thanks OK?

GUERRA: Yea, alright Pete

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 12, 1973 AT 9:25 AM THERE WAS AN OUTGOING CALL TO 212-798-7506 FROM PETER MENGRONE TO LOUIS GUERRA

Conversation: 998

EXH 1/2

GUERRA : Hello.

MENGRONE: Hold on a second, hew you doing?

GUERRA : Pete.

MENGRONE: Yeah.

GUERRA : Yeah, how everything with you?

MENGRONE: Err, I had to put them off-er-until today, I couldn't meet them er you know without the other one there, cause the other one had done

all the talking.

GUERRA : Yeah.

MENGRONE: Then it really looks like we got the number, I mean you know the guy guarantees I'll - you know - stay with you there's no problem this and that all of a sudden I walk in and say hey he's not here, but that -

that blew my fucking mind last night, when his wife called.

GUERRA : Yeah, how is his mother, have you heard from him er

MENGRONE: Er, yeah, he's wacked out - he's sleeping now - he's er he days he's OK you know er but er like er the wife puts me in some bind cause like er if, so don't catch me - I - I er don't go in Dominicks

you know.

GUERRA : What?

MENGRONE: I've never been in Dominick's that was my first time.

GUERRA : Oh yeah.

MENGRONE: Yeah, I was in there with my uncle and my cousin and another guy from Brooklyn, and it just so happened that as I'm getting ready to walk and they said, is Ernie still here, which he wasn't - he had gone to meet somebody a about, I just (laugh) said holy Christ I'm crossed -

this Yom I think he is ready to go to guns he's fuck'n wild, he's like climbing eighteen walls he don't wanna know from shit, then er last

night looked like just another stall and or I told him hey.

GUERRA : Has anybody heard from A1?

MENGRONE: No - he's - he's pigeoned holed in the place - I went up there last

night with Tony Braccioli.

GUERRA : Yeah.

MENGRONE: And he's er the car is there, the white ah you know Lincoln.

GUERRA : Ya, where's the black T-Bird?

MENGRONE: I haven't seen that one, I haven't seen that for a long time, three or four times.

GUERRA : Then his wife's probably got it.

MENGRONE: So - er.

GUERRA : What place is he at the motel or is he at home?

MENGRONE: At the house.

GUERRA : And he won't come out.

MENGRONE: Nope.

GUERRA : Are they still checked in at the motel or did they check out?

MENGRONE: No, they're still there, under the name Russo - right.

GUERRA : What?

MENGRONE: Under the name Russo.

GUERRA : I don't know the name (mumble) its, its likely.

MENGRONE: Yeah, either than or Santana but (inaudible).

GUERRA : (Inaudible)

MENGRONE: Um-hmm, I (inaudible) I was thinking of something that I meant to tell you last night that - show you why - this, this kid doesn't ah really give two shits about people, even Friday he had specified to me - to make sure that I personally, you know the thing that you had - that he.

GUERRA : Yeah.

MENGRONE: That I personally give it to them and stay with them, while they, you know - checked it.

GUERRA : Yeah.

MENGRONE: Er, does it make any sense to you? Unless he trying to get me killed.

GUERRA : What do you mean thee-er cigarettes?

MENGRONE: (Pause) yeah.

GUERRA : Yeah-I don't know what he is doing.

MENGRONE: Laughs.

GUERRA : Ah don't know what he is doing.

MENGRONE: Ah he's sick, fucking Braccioli went berserk, went fucking berserk - cause you know they (stutter) they had left him alone you know there was a problem and they just, they just you know dropped it then everybody was running their own way.

GUERRA : He's lost his mind.

MENGRONE: ,I would say so - I - I would say er well what can I tell you - 1 er

GUERRA : (inaudible) How did that thing er did you get it - get everything right.

MENGRONE: No problem there - no problem at all - I'll take care of after in fact - what I was gonna say this afternoon er you know I'll leave a message and maybe you can get back to me around four, just in case - this looks like it's gonna be a problem (inaudible) better get a hold of yourself or one of the other guys - you know er - guys to stake the place out where we're gonna meet him

GUERRA : Yeah.

MENGRONE: This way er you don't know what he's gonna do you follow I don't want to be there alone with Ernie.

GUERRA : Yeah (mumbles). No sense it letting them snatch you guys.

MENGRONE: This (stutters) this would be like ar prime thing - like a

GUERRA : Can't you go knock on Al's door or something (inaudible).

MENGRONE: You can't get into the building with this freehole doorman, we would done it last night, I think if I sit Albert down and I speak to him because I need, he could be the biggest psycho in the world but if your talking dollars and cents I mean you know.

GUERRA : Gee - I don't know - I don't know Peter.

MENGRONE: What is he gonna do?

GUERRA : It doesn't make any sense at all anymore.

MENGRONE: Is gonna hide the rest of his life I mean er is he gonna spend the rest of his life play hide go seek now..

GUERRA : I don't know.

MENGRONE: What the hell's he's got - he's got people involved now that he can't duck now - fuck is ridiculous.

GUERRA: (Inaudible) I don't know he's talk'n some shit about somebody coming up Thursday to take care of everything. MENGRONE: Take care of everything, let me tell you something.

GUERRA : No (laughs) this is what he's talking ...

MENGRONE: Yea - let him talk.

GUERRA : Yea.

MENGRONE: He can bring up anybody he wants.

GUERRA: I don't know what he expects them to say or do, I - I don't think there is anybody but I don't know about who says Jimmy got a connection. who says you're connected, who says Ernies connected I don't from connections.

MENGRONE: You don't have to be connected - even the worse scum bag in the street would never give up somebody elses kid - the worse fucking nigger would never do it.

GUERRA: Yeah, I know... and this tucking guy did it - I spoke to people last night and said exactly what happened - and they get, they get fuckin they fuck at you like you know er nobody would do that and I said no it was done and by somebody I knew very well - and they go - they go fucking nuts, I think thats the only reason, let's face it originally Ernie - wanted er you know to beat, fine that's his business at least he's man enough to say "look I was gonna do it, I was mad" fine, but when the problem occurs he didn't run away from me, you follow me.

GUERRA : Yeah (inaudible) Al didn't talk to you (inaudible)

MENGRONE: And, and yet the other guy was suppose to be the scum bag.

GUERRA: Well I think, I think as far as that goes up until the shit hit the fan, as far as that goes I didn't like the way either one of them operated and I told that to Ernie.

MENGRONE: Right.

GUERRA: I don't like that hole scene because you know they say violence begets violence and you know one bad move brings on another bad move and then before you know it you got a reputation thats all you can do is make bad moves because nobody will let you make a good move, I, I didn't like that kind of operating at all but like you said at least Ernie comes up front when the shit hits the fan Ernie's there he's not hiding out like some fucking moron.

MENCYONE: He stayed with me I mean er (inaudible).

GUERRA: You gotta give him credit for that he not hiding out (inaudible) you know looking over his shoulder.

MENGRONE: He started with my uncle last night, he was with me and you know when that thing happened - like you know I said look, your mother is your mother - like you know (insudible) we're armed to the fucking teeth and we do what we gotta do but er its just er you know - I - I - I'm

MENGRONE: still like you say, I'm a little dumbfounded (inaudible) to me, cont'd. honor is one thing, er trying to you earn a living is another thing you know you do what you but whats happened here leaves such a rotten fuck'n taste I say to myself you know.

GUERRA : And I'm suprised at this guy.

MENGRONE: This fuckin a ach I told you it gets to the point where its ridiculous the guy Charlie as I said to you last night happens to know my people doesn't even realize it because they dropped his name last night after we was discussing you know what had happened.

GUERRA: Well can't you get these uncles of yours or anybody like that to intervent a you know in a

MENGRONE: Mean as far as sitting (inaudible) see you don't understand something their

GUERRA: I know - I know because of the pro I know because of the dealing but a what about just get getting in touch with Al (inaudible) some messages out to Al

MENGRONE: Ah the message he got last night should ve gotten through to him because the guy came with me to the house.

GUERRA : Yeah.

MENGRONE: And if nothing transpires today they will send their people up there pick the doorman up bodily and bring him upstairs and beat the door down with the doorman you know this is a psycho.

GUERRA: What so the shines say they still wanna know who's who it is or what

MENGRONE: Yeah - definitely they wanna yeah.

GUERRA: And if they find out who it is that let you off the hook or they still don't wanna know and they feel they done business with you and a..

MENGRONE: No they did business with me and thats what they wanna know but they still wanna kill him his, his answer to me again this morning was you know what you gotta do kill em I said no you don't do that OK cause that doesn't resolve anything I want the money and what occurs later on happens cause I'm still the fuckin moron OK this guy still has a wife and kids I was at the christening when he - when the baby was there you know but this is a I just say this is Albert fine he doesn't give a fuck what anybody else.

GUERRA: That's not Albert anymore its Albert died I don't know how many months ago but Albert died this is some crazy kid.

MENGRONE: Hu

GUERRA: I don't know I really don't know what to say alright a I'll be home for a few hours I'll be in and out a just do me a favor call me on this number especially in the evenings because the other numbers Susan phone and unless this phone's busy....

MENGRONE: Right.

GUERRA: You know then you could use the other one but a this phone's not busy I'll have on the my recorder or else I'm not home.

MENGRONE: I enjoyed that tape the other day I roared ha please leave a message otherwise you'll fuck up my machine.

GUERRA : I didn't say fuck up.

MFNGRONE: I mean you know (laugh)

GUERRA : Everybody calls and they hang up.

MENGRONE: Well you know you wait for the beep ...

GUERRA : Yeah.

MENGRONE: (laughing) and the beep don't come you say what is this guy wild.

GUERRA: Uh I changed it everybody hangs up I set there listening to blanks.

My ex-wife the first a day I had it she called.

MENGRONE: You're kidding.

GUERRA: And a you know she was looking for the money and a hello this is Louis Guerra I'm not home and she Louie this Johanna and if you just leave a message she says Louis stop fuckin around this is your wife Louis I need some money when you hear the sound she says Louis whats this beep shit this is she's talking to the recording.

MENGRONE: (laugh)

GUERRA: Getting annoyed that I wouldn't answer her lost her mind. Lost her mind.

MENGRONE: (laughing) That's funny Louis this is me what's this beep shit oh that we could still laugh who knows.

GUERRA : Yeah huh (inaudible).

MENGRONE: (Inaudible)

GUERRA : Alright Pete (inaudible) I'll be around here and then

MENGRONE: Like see if you gimme a call just around four so maybe we can just (inaudible) protect our own ass.

GUERRA : Alright.

MENGRONE: Because a like I said (inaudible) to the point now where their libel to think he's full of shit, too.

GUERRA : Who's that.

MENGRONE: Ernie.

GUERRA : Oh-oh.

MENGRONE: Because a...

GUERRA : I doubt if he's full shit he wouldn't go this far he's..

MENGRONE: No I mean them - them their libel to say like you know.

GUERRA : Oh (inaudible)

MENGRONE: Like you know he didn't show up last night what was the excuse then you know (inaudible) they don't have to answer to him that his mother

comes first fuck that.

GUERRA: Nobody wants to hear anything, they don't wanna hear anything as far

as them excuses go (inaudible) they don't wanna hear that I know its

right but they don't care.

MENGRONE: Right to them they're ripped off ...

GUERRA : Yeah.

MENGRONE: But.

GUERRA : (Inaudible) Alright I'll talk to you later then.

MENGRONE: OK boy thanks anyway.

GUERRA : Right, bye, bye, Pete.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 12, 1973 AT 2:04 PM THERE WAS AN INCOMING CALL TO 914-668-0946 FROM LOUIS LEPORE TO PETER MENGRONE

Conversation: 1023 EXH 13

LE PORE : Louie.

MENGRONE: Yea Louie.

LE PORE : Yea I just heard from that other guy.

MENGRONE: (inaud.)

LE PORE: He told me to tell you that (inaud.) incognito tonight, everything will be straightened out and he's got a guy flying in everything, is going to be straightened out tonight, he don't want nobody to go up his house or anything like that.

MENGRONE: No (inaud.) my does OK right.

LE PORE : Pete er, I'm trying to do my best for you.

MENGRONE: Louie, I love you because you're a man but not to go to his house, er is that balls!

LE PORE: I understand it Pete, but er er (inaud.) talked to me, I told er, I told him whats going on on this and that and ha, he says ah tell Pete, call up Pete, call Ernie tell him everything will be straightened out tonight, he will get in touch with you later on.

MENGRONE: Does he know that Louie Guerra even gave me his gun last night so I wouldn't be walking around without one, this fucking wild.

LE PORE : Right.

MENGRONE: Louie as God is my judge, all I want us to do is earn some money what this kid did to us I mean, I'm saying now us because he involved everybody for no reason.

LE PORE : (Inaud.)

MENGRONE: There is money here.

LE PORE: The only thing that could happen tonight is a, is a gonna be sit sit down and they make a decision right then and there.

MENGRONE: Oh.

LE PORE : And I don't think you have anything to worry about.

MENGRONE: I did nothing wrong Louie, you guys are there to back me up if thats the case. I (inaud) I couldn't be more honorable, I may be stupid but honorable. I was, I did everything the right way, but ah, and I wanna, wanna see you, say to this that, when he know that when they had my kid, he said

MENGRONE: thats to bad, I wanna see him say that to me, I still can't get over cont'd. that I mean I ah, I'd stay in the house just not to go out. I mean, ah Bracciole is ih.

LE PORE : 1 understand.

MENGRONE: Well look, I want you guys to know-- like I said, nobody else was involved this was strictly him and I he had a beef with Ernie like you said they were trying, each one was trying to outdo the other alright, had no business involving the rest of us.

LE PORE : Well we're gonna iron that all out tonight Pete.

MENGRONE: OK

LE PORE: And I er, er think the way it looks, er, they want Ernie to pay everything godamn thing back.

MENGRONE: No!

LE PORE : You know, so ah

MENGRONE: As long as It comes back

LE PORE : They're not telling me anything you know.

MENGRONE: Right.

LE PORE: But er, they, they did call Ernie and tell him 9 o'clock er, they gotta meet this guy and it'll be straightened tonight- every- has got to be straightened out tonight.

MENGRONE: Because Ernie went so far as to even say da, yes yesterday he'd give up what he had, the goods, money, whatever he had that he had his hands on will be done.

LE PORE : Right.

MENGRONE: You follow me you see the trouble that came in last night I don't know if you knew it, he gets the call or I get the call from Anita that his mother was very bad in the hospital.

-LE PORE : Right.

MENGRONE: I had to meet them alone again er, and the re on that bought the time was the fact that Ernie said you know, stay with them, so now picture when I show up and say the guy is over the hospital with his mother, you know like I got the gun cocked, my cousin sitting with a gun I figure you know, any second like why donna we just wipe each other out you know, and (inaud.)

LE PORE: I don't think it will get to that er, the main thing is, like I say I've been through this, there looking for their money the last resort is (inaud) they want their money.

MENGRONE: Thats it.

LE PORE : Alright Pete.

MENGRONE: Ah so you want er, let me ask you a question then you want me to stay here - you want me to get in touch with you? What er, do you want me

to do?

Stay here, I'm gonna, I'm gonna give Ernie a ring now and tell him the LE PORE : same thing and then er, as when they call me back I'll tell em to work you know through Ernie or through you whatever they want to work (insud)

contact alright.

MENGRONE: Well 17 they want, they can just come down to my club we can meet at

the cluo and go from there cause er, alright.

LE PORE : Alright

MENGRONE: Er, look Louie.

LE PORE : Did Tony Bracciole step into this picture?

MENGRONE: Yea.

Yea, who is Tony? LE PORE :

MENGRONE: Well

What is he a fuckin' wise guy or one of the men? LE PORE :

He's one of the men, he's my partner, I'm a partner with his son in the MENGRONE:

joint.

LE PORE : Oh.

And it seems you know, everybody knows and I don't like that. MENGRONE:

LE PORE : OK

MENGRONE: Because like you know again I (inaud) all I know is that I want it straight-

> ened out and then whatever happens with you, me, Louic Guerra we do whatever we can do- but again you know, I know your with Al but I, I don't

> put you out, its your business but I'm say if we get a chance to earn our own fine, thats our business I'm just ask like you said, to me you wanna

be honorable with me, fine I'm still in this where maybe we can.

LE PORE: (Inaud.) he not dishonest you know, cause of him like he (inaud) he has

a legitimate beef through that other guy, an and thats why something

happened here.

MENGRONE: Yea well you see the legitimate beef was between the two them.

Yea, I don't wanna talk anymore on the phone. LE PORE :

MENGRONE: I'm hip, I'm up like I hald before though he even adopted it when he was sitting with us the other night.

(PART OF CONVERSATION NOT RECORDED)

half a yar.... half a yard and er look, I thank you for calling him.

LE PORE : He should be home right now.

MENCRONE: Ah either home or down I don't know, I know that when Anita called last night, his mother was in the intensive care unit, she had er, the heart they had a operate on her yesterday.

LE PORE : OK

MENGRONE: They had trouble with the heart so

LE PORE : I'll try his house.

MENCRONE: OK

TE PORE : Alright.

MENGRONE: If not you want me to get a hold of him T will but I don't even know where to reach you so I....

LE PORE : Alright Pete.

MENGRONE: OK (inaud.)

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 12, 1973 AT 2:25 P.M. THERE WAS AN INCOMING CALL TO 914-688-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE

Conversation: 1027 EXH 44

MENGRONE : Hello.

CORALLUZZO: Yeah.

MENGRONE : Yeah-how ya doing?

CORALLUZZO: Alright-hold on.

MENGRONE : Hello

MENGRONE : How you feeling?

CORALLUZZO: Ah I am up.

MENGRONE : You know I didn't wanna you know (laughs) you told it to (inaud) on

the phone I realize you were really out of it. So I just layed back,

I told Ed call me when you wake up.

CORALLUZZO: What time is er set up?

MENGRONE : I bought today, because you didn't get a message yet?

CORALLUZZO: Yeah-something about everything is pushed off thats all.

MENGRONE : Yeah-Louie LePore just called me.

CORALLUZZO: Yeah-I know that - he called me too.

MENGRONE: Right-so what do you want to do?

CORALLUZZO: What is everyone supposed to run now to the sit? The last (inaud.) are

MENGRONE : I am not saying nothing-all I know is that the Yom spoke to me.

CORALLUZZO: Yeah.

MENGRONE : And I explained what the problem was, that your mother was in the

hospital fine bip-bip-I said you can call me tonite, I'll make an appointment with you, you wanna meet us tonite, tomorrow anytime we're

not going anywhere.

CORALLUZZO: Uh hum.

MENGRONE : You follow me.

CORALLUZZO: Yeah.

.0

MENGRONE : So er he wasn't even in town when he called this morning-you follow me.

CORALLUZZO: Yeah.

MENGRONE : He had to come back in then I got a hold of Morris.

CORALLUZZO: Ah uh.

MENGRONE : And all Morris knows is you know-

CORALLUZZO: What?

MENGRONE : We want the money, you know you didn't do the right thing- I said let me tell you something-I did the right thing on my end-and I'll prove it

CORALLUZZO: Yeah.

MENGRONE : You know-fine but ah like you said.

CORALLUZZO: So what holds, what did he say then?

MENGRONE : Hum.

CORALLUZZO: What did he say?

MENGRONE : He sez he'll get back to you later on tonite and I'll leave word wh

where I can be reached, the ah do you know it worked, don't you.

CORALLUZZO: Hun

MENGRONE : You know it worked - don't ya?

CORALLUZZO: B

MENGRONE : Yeah.

CORALLUZZO: Tony.

MENGRONE : Yeah.

CORALLUZZO: What time did he go over there.

MENGRONE : Last nite at 3 o'clock in the morning.

CORALLUZZO: Anybody was home.

MENGRONE : He wouldn't come out.

CORALLUZZO: He was home

MENGRONE : Yeah-I gave up the ah the address to Tony, the number on to fucken Lincoln

that was parked in the back you know.

CORALLUZZO: Un

MENGRONE: The message was ah-not to send anybody else up to his house that they'll be out at 9 o'clock tonite, now LePore like you say ah says how the fuck

did he put it-that Albert is looking for you to pay (inaud.) all the

money.

CORALLUZZO: Me.

MENGRONE : Yeah.

CORALLUZZO: Me.

MENGRONE : Yeah-you- so I said to Louie, I say let me tell you something Louie all

I know is Albert has \$30,000 of my fucken money.

CORALLUZZO: That's right.

MENGRONE : I said all I want is the fuck'n thirty thousand.

CORALLUZZO: That's right.

MENGRONE : I'll eat, sleep and drink with Ernie thats my fucken business-I want

\$30,000 no more no less and thats it.

CORALLUZZO: Now did you get to Tony.

MENGRONE : Brossole?

CORALLUZZO: Yeah.

MENGRONE : Yeah he be down at the club from 10 o'clock on and

CORALLUZZO: Yeah this guy said something about 9 o'clock tonite.

MENGRONE : That his man was coming in at 9 o'clock and they would get in touch

with us, OK?

CORALLUZZO: You spoke to him yourself.

MENGRONE : To who?

CORALLUZZO: To ah, Al.

MENGRONE : No-he won't talk to me.

CORALLUZZO: Who did he send.

MENGRONE : He sent Louie LePore, he didn't send him- he just called me 15 minutes

ago. Albert hasn't spoken to me since-Sunday-but the fact that the guy showed up at his house I didn't know, that Brasolle wanted him that bad.

CORALLUZZO: Yeah-I told you this-I told you this, he just aching I knew it.

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MENGRONE : Well he steps right in, ah- he sez, ah-don't worry about it hah- and

ah it musta rattled his fucken cage that this guys shows up at his house. Rattled his fucken cage, the message was left with the doorman then he wrote him a note-tell him Tony Brasolle was here to see him, I won't be

MENGRONE: back a second time, and that was it, cause he got right in the car last cont'd. nite didn't hesitate.

CORALLUZZO: (laugh a loud) yeah (inaud.) alright listen.

MENGRONE : Do you know Louie Guerra gave me his gun last night.

CORALLUZZO: No.

MENGRONE : He gave me the 45 I called him I said I needed one you know, cause Frankie had the 38.

CORALLUZZO: Um

MENGRONE : And we were gonna meet them and like you know

CORALLUZZO: Gonna meet who?

MENGRONE: I was gonna you know, according to them to meet the Yom's

CORALLUZZO: Oh yea, yea

MENGRONE : But we needed some guns, he even bought out the machine gun if I wanted it.

CORALLUZZO: Alright, listen.

MENGRONE : Speak to me.

CORALLUZZO: (inaud.) thing, how long you gonna be there.

MENGRONE : No, it up to you, you called the shot. You wanna grab the girls and go for a bite to eat first, you, you say whatever you want to do.

CORALLUZZO: I'm gonna go to the hospital now.

MENGRONE : OK

CORALLUZZO: Let me call you back.

MENGRONE :OK cause, now listen.

CORALLUZZO: I gotta get to, to Ford because this freehold gotta go pick up his car Nick.

MENGRONE : Empire Ford.

CORALLUZZO: Yeah.

MENGRONE : OK now ask Nicky does he have an extra, does he have the she, she car.

CORALLUZZO: That by his house I guess

MENGRONE : OK, OK listen to me then.

CORALLUZZO: What?

MENGRONE : OK, I just spoke to the other gentleman Eddie, he is desperate.

CORALLUZZO: Alright let me call you when I get down there.

MENGRONE : OK do that.

CORALLUZZO: Do something.

MENGRONE : OK, cause I told him 12 o'clock tomorrow.

CORALLUZZO: OK

MENGRONE : OK

CORALLUZZO: Alright.

MENGRONE : We be partners legitimate straight from now on in.

CORALLUZZO: Alright.

MENGRONE : But er, you gave me the right information this kid went right out of

his fuck'n tree.

CORALLUZZO: OK

MENGRONE : OK

CORALLUZZO: OK

MENGRONE : Be cool

CORALLUZZO; So long.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 12, 1973 AT 6:28 PM THERE WAS AN OUTGOING CALL TO 212-798-7506 FROM PETER MENGRONE TO LOUIS GUERRA

Conversation: 1064 EXH 15

GUERRA : Hello.

MENGRONE: Peek-a-boo.

GUERRA : Yeah.

MENGRONE: How you doing?

CUERRA : Alright.

MENGRONE: OK.

GUERRA : Mark.

MENGRONE: Huh.

GUERRA : Who's this?

MENGRONE: No I got a fresh head I - I'm, I'm.

GUERRA : Oh, Pete.

MENGRONE: Once in a while I got you know.

GUERRA : Yeah.

MENGRONE: I'm allowed to be human being.

GUERRA : Yeah.

MENGRONE: A'I lost my fuckin track of thought would you believe it did you hear

anything?

GUERRA : No that a Al's gonna be out tonight.

MENGRONE: Right.

CUERRA: To a get everything straightened out.

MENGRONE: Right now does that mean.

GUERRA : I don't know I - I spoke to Louie.

MENGRONE: Yeah wadda you think?

GUERRA : Peter at this stage I've stopped thinking I have no idea I a I know is

I'm trying to get some of the cigarettes back, cause I'm out a ton of money. I'm doing all this running around and a you know like a nothing

going for me I'm standing still and ...

Well if I straighten it out by the week-end they'll be something going MENGRONE:

on for you OK, believe it.

Good. GUERRA :

Because I I straighten out my own other ends and hey but. MENGRONE:

GUERRA : How you making out with your shines or where do they sit.

MENGRONE: A the shines are meeting with me tonight.

They still hot or a.... GUERRA :

MENGRONE: Hot - hot.

GUERRA : (Inaudible)

MENGRONE: Yeah they he said it again be says the money I gave you five weeks ago

I'm not questioning cause I told you to what you hafta do with it because you he - he left it in other words he left it to me like when he needed

something just go get it and deliver it.

GUERRA : Yeah.

MENGRONE: Period.

GUERRA : Well that not our business anyway that money we got thirty that don't

belong to him.

Right and that happens to be thirty, which the shines is responsible MENGRONE:

for.

GUERRA : Yeah.

MENGRONE: And he says hey hu this is what I want thats all and that all he's

interested in and now a he's supposed to be bringing some guy in you

know to talk whatever it is fine.

Al or the shine. GUERRA :

MENGRONE: A1.

GUERRA : Oh I don't know who he could bring in (inaudible)

MENGRONE: Un like - like he said he knows who wants to take him and now its a

matter of a - he has to talk to him.

GUERRA : Alright the shines are gonna wait un till you could make your move to

get you know they know your doing things that your having people come

in to talk and.

MENGRONE: Yeah well this is the point we're gonna see them tonight even before

we see Albert and - and lay it right to them and say hey this is.

GUERRA : How - Hows a Ernie where, where's he at?

MENGRONE: He has to sit with me because un don't forget he initiated the damned thing like you know we can do this and so forth fine, and then a he told the guy look you know huh I'll stand up in place of the kid what the hell the problem I mean you know you know where I am heres my house and heres my where I work and everything fine and just from they didn't see him last night they looked a me with that a we starting again look you know I said hey (laugh) this is where its at the guys got a mother she comes first and a just that its a this kids amazing thing.

GUERRA: Well I think they're being very patient you know like a they're a they're hollering a lot but a aside from the fact they grabbed your kid but then again you say he did it to show you what they can do.

MENGRONE: Yeah like don't think we're stupid cause we're niggers man (stutter) we've got the capabilities.

GUERRA : Yeah.

MENGRONE: And like a this is what I said to Albert in the beginning I said lets make this one good because man they know where I am we want em you know.

GUERRA : (Inaudible)

MENGRONE: No couldn't care less it was just a - a game (stutter) a game, really I think to spite Ernie and like the two a them were having their a you know inter conference rivalry there that doesn't include me.

GUERRA : No.

MENGRONE: They wanna wack each other do whatever they want just leave me alone lemme do what I gotta do and get off the hook with my man and go have fun.

GUERRA : (Inaudible)

MENGRONE: No what I laughed about this kid was an and you realize it now he had you sitting in the car swearing at something.

GUERRA : (Inaudible)

MENGRONE: And (stutter) how do you do this to people.

GUERRA: Well I meant it I meant it too when I swore it I really believed it.

MENGRONE: And this is the type of kid he is, he - he - he involved everybody for no reason.

GUERRA : Yeah.

MENGRONE: And it was the proof of the pudding when everybody came out that night and said hey we didn't know now Louie you know who I spoke to you know LePore.

GUERRA : (Inaudible)

MENGRONE: He says (stutter) you can understand why he had given me an hour lecture on how honorable he is and how he is gonna make everything go smooth and we'll do this and we'll do that but mean like in the car for an hour now you know how this guy looks (stutter) I get a beat I'm looking at Louie like you hadda give me that lecture did you see his face when - when - when you said what you's took his money and then had the ba you know he just (inaudible) in disbelief he comes over to the car later on shakes my hand he says whatever I can do I'll help you and he says just give him up give him up without even bat an eye and I didn't give up yet (laugh) I brought in somebody that a hadda be brought in and I told this kid don't make me go to uncle Tony and a he said do it fine (laugh).

GUERRA: It not the Co well you see now how much coke he's snorting he's lost his mind jeech you can't deal with him like a normal person anymore he's like a you just can't you gotta deal like you deal with scum.

MENGRONE: Yeah and his - his was please don't send anybody up to the house OK?

GUERRA : He says he don't send anybody up to the house.

MENGRONE: Yeah.

GUERRA : I tell him no now you think you felt thats a lotta balls.

MENGRONE: Don't you think so.

GUERRA: He wants to make rules now - now you gotta have rules hey but your dumb too Pete you listen to his rule.

MENGRONE: I didn't listen to his rules Brashole was up there last night he wouldn't answer the phone he the guy call upstairs and said a Tony Brashole is here and left a message downstairs he says I don't intend to come up a second time then that was when Albert came out of the woodwork and its like a there was no need for this you and I both know it this - this stuff like this coulda been a consummated over dinner.

GUERRA : Aw.

MENGRONE: We - we could ssat and ate while we were eating you know earned a ton of money.

GUERRA: And if there nothing to begin with he never should started all this get all the all these people involved.

MENGRONE: Yeah see if it different (stutter) it was one on one you say fine when he involves an entire crew and you say to yourself hey you know.

GUERRA : He's got everybody exposed and he's ready to run.

MENGRONE: Exactly well go - gc answer your door I'll let you know what happens tonight after like ten o'clock I should know what the hell's happening.

GUERRA : Alright.

MENGRONE: OK, I'll get back to you.

GUERRA : (Inaudible)

MENGRONE: Thanks again.

GUERRA : Alright.

MENGRONE: Bye, bye.

GUERRA : Alright.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 13, 1973 AT 10:25 AM THERE WAS AN OUTGOING CALL TO 212-367-7262 FROM PETER MENGRONE TO CHARLES GUIDA

Conversation: 1878

GUIDA : Hello.

MENGRONE: Hello - whose this - Charley?

GUIDA : Yea.

MENGRONE: Peter - Pete.

GUIDA : Yea.

MENGRONE: Yea - you alone or can you talk?

GUIDA : I'm all alone.

MENGRONE: OK - ah - first question - Al Diarco, ring a bell?

GUIDA : Who?

MENGRONE: Al from Brooklyn.

GUIDA : Little Al.

MENGRONE: Yea.

GUIDA : Yea I know him.

MENGRONE: You know him well or ..

Yea well I know him a long time ago - I haven't seen him in years - No, GUIDA

I seen him ah - about a year year 1/2 ago.

MENGRONE: Right - right - he was with my uncle Frankie - he said to say hello.

GUIDA : Yea I know him real good.

MENGRONE: OK what happened with this kid, fill me in this way you know.

I haven't seen him - I seen ah Ernie I don't know how many days ago, 2 GUIDA

days ago.

MENGRONE: Yea you were supposed to talk to this guy Bevines or something.

GUIDA Tonight- I left word with the guy - he didn't even - he didn't even give

a fuck about listening to this message or nothing - this Emil - whats

wrong with him.

MENGRONE: Ernie.

GUIDA: Yea - I went down to Harlem - I went all over looking for Bevine, I you know I'm trying to help.

MENGRONE: No ah.

GUIDA: Because when I left I figured your kid was in a jam - and I'm fuckin sick I can't believe this - you know what I mean by when I left.

MENGRONE: Yea - well he called - let me tell you something - he called - in other words, there somebody else in the picture now. There's ah

GUIDA : Don't tell me - don't tell me - I don't know nothing.

MENGRONE: The kid called up and wanted ah - told Louie LePore - I'm not we're incognito until 9 o'clock somebodys coming up and we want to sit and to make all the arrangements - make the arrangements - call the people in. Would you believe this freehole don't - don't show up - after asking.

GUIDA: He went away I told you that I didn't tell you that somebody told me that and they must know where the fuck are they - I have no idea.

MENGRONE: But how can he ask for a sit down and not show up for the (inaudible) is he crazy?

GUIDA : When was the sit down suppose to be?

MENGRONE: Last night - he was home until yesterday - don't let anybody bullshit you. We had him clocked in the apartment - if he come out of the fucking apartment he was getting whacked - yesterday. Never came out and just asked that nobody come up there because the person that went up there blew his fuckin mind - it was just the idea that you know, you asked for the sit down - he gets - you see the idea is he gets Louie involved, Sal, everybody else is involved in it and he walks away. Because the way they put it last night - bring down somebody who's involved in it. We want to hear what went on before they do anything - the point is its not anybodies else's place its this freeholes.

GUIDA: How the hell could he ah listen he got no phone at home how the fuck can you get in touch with him.

MENGRONE: No just the doorman downstairs thats all - thats the whole key - but the ah the amazing part is ah if you just - all you have to do is you gonna see this guy tonight - this Yom.

GUIDA: Thats ah - I went down to Harlem this other night - I left word all over - they told me to come back Friday night.

MENGRONE: OK you just leave word - all I want this - Yom to know OK and to make sure he knows is that there was a rip off. That this freehole did it and for Lucas to give us the time to straighten out our own problems before he goes fucken berserk.

GUIDA : Tell me that again. It was a rip off - right - I dig it now.

MENGRONE: That ah tell him who did it - that the kid Al did it ----

MENGRONE: the cockey - because the basic problem being that he couldn't produce at the price that he ah said he would - he quoted a price to Frank like 35 you know something like that but - the the condition being he takes the 30 and runs and we been trying to find him all week - that he want come out of hiding - but then Lucas knows that there was a rip off involved but everything on our end has been honorable other than this prick - because the idea is he's got everybody involved and before we gotta go to something thats really nobodies fault.

GUIDA : My God this is fucken ridiculous.

MENGRONE: Ah you know we did the right thing.

GUIDA : For 30 thousand dollars to cause all this fuckin trouble is sickening

MENGRONE: You know this Yom showed me 300 grand? Did you know that? Had it out from the bank in the packages in the attache case Sunday - he showed me another 100 grand.

GUIDA : Oh my God.

MENGRONE: And says we're ready whenever you are - lets go and this fucken moron takes 30 - laughs at everybody and leaves him there - when the troubles started with my son involved that he was told this - you know what he talks them. Oh gee thats too bad - oh ah.

GUIDA : Whoa - whoa - wait.

MENGRONE: Go ahead.

GUIDA: Of all the things to tell me don't tell me things that guys say. Because I don't believe it - you know. I listen to you because I understand you right there - but don't say what guys say - what that guy says, I heard what Louie said about this guy or what Ernie said about that guy - that's getting all ridiculous - they gotta sit down man.

MENGRONE: Oh we had sat down the other night, all the guys - we're at the "Hi-Hat" because I had a very bad problem - that night - you know and they came to help me, you know Bobby Gooch, Louie, Louie Guerra and they were there, Sal ceme in you know, and Louie LePore like - to tell you the truth - I don't even think you know this did you know they tried to wack me Friday night.

GUIDA: What are you kidding or what - for - why.

MENGRONE: Well this is question that was Louie LePore asked - he says.

GUIDA : For what reason - what did you do that - ah I don't believe that.

MENGRONE: Oh no - well let me tell you something ask Louie - I - I - I met them in fact. I went by your house - because I wanted to pick up my wife's car -- remember you seen me come by there - well I come by there I was looking for them?

GUIDA : Yea.

MENGRONE: Friday night.

GUIDA : Yea.

MENGRONE: Well afterwards I came by again.

GUIDA : I didn't see you there after that.

MENGRONE: As they were pulling away and I follow them I followed them to Bogart Avenue, some desolate street - you know the 4 of them got out - Gooch - the big dide Jimmy, Albert and Louie Guerra and the walked over to the car and tell me shut the car off and they asked whats your problem - you know. As they started to talk a cop car comes down the block, Al panics and gives me his gun - he says here hold this you know because he was afraid. So we're riding around I'm explaining to them I gotta meet the Yom what'd you want me to say bit - bit - at Later on it come out from Louie Guerra that they were gonna wack me - Albert had them all psyched up that I was gunning for them.

GUIDA : Jesus Christ this is ridiculous.

MENGRONE: Suddenly when I pull up like a fucken chump that I am - what are we gonna say to this yom being we couldn't pull the goods, and everything else, I'm still thinking its an honorable move - that fucken Albert has them ready to kill me - that had a machine gun in the car - figuring I was coming after them, so- long story short - we sit down the other nite and they tell this to Louie LePore he sits there like white - he says are you fucken crazy - you took his fucken money and had the balls to try and wack him on top of it - he says youse are sick, and they says we know - Albert told us this that and the other thing they says how--

GUIDA: This things gettin more fucken ridiculous everyday - what is everybody wanna go to jail on this fucken affair here or what?

MENGRONE: You know what happened in the house here?

GUIDA : My God Almighty!

MENGRONE: Now I assume you know my uncle Frank - he's Als partner - so maybe you don't know him, the guy "Cheech" from Fordham, OK-what they didn't know what makes it even more stupid - Albert knows my fathers a detective in New York OK - as soon as the thing with my son starts - my wife calls my father, of course.

GUIDA: And the next move is - they were callin in for the fucken Feds for a kidnapping and I said are you fucken crazy - I'll do 15 years you call anybody in - and I told her I got 5 fucken guys involved that didn't do nothing you know - it got to the point it was berserk time, so we went and meet those guys you know - and I had to tell her - I said look I just need the fucken money, to give this guy and we'll go after Albert later on, lets worry about Albert later on because nobody got a dime out of him you follow ---

MENGRONE: This is unbelievable.

MENGRONE: And the kid laughs like this is a big joke in other

GUIDA: All I wanna see is the fucken thing get resolved - thats all I give a fuck - I ain't gonna get nothin out of it - you know - my place - I said what the fuck is going on here this is getting more ridiculour every day, why don't they give him the paraphernalia or give him the money that all

MENGRONE: Did you know they made up a dummy package.

GUIDA : No.

MENGRONE: He made up a dummy package and had Louie Guerra sitting on it and Louie Guerra never know it, because Louie was swearing to me on everything that was holy that he had the package and everything else and then when they found out - then they admitted that there were no goods - and it was a dummy - Guerra said I don't fucken believe it, because here's a guy that got into the picutre the last minute and he's on the phone ----

GUIDA : Oh boy, oh fucken boy!

MENGRONE: And he asked - he asked for a sit down he says he resolve it - see that was between him and Ernie - its their problem let them work it out - he's involved everybody - there's six

GUIDA: When are they gonna have a goddamn ah - when are they gonna do something you have any idea?

MENGRONE: I have no idea at all - all I know is that this fucken yom is going berserk all I want him to know is that there was a rip off - and that we're all trying to work it out on our end, that this fucken Coky panicked and ---

GUIDA : I'm going downtown tonite - I probably will see someone that knows him very well -

MENGRONE: OK - just leave word with him, because he thinks that I

GUIDA: I'm listening exactly what you told me Pete - and I'll tell it exactly like you told me - believe me ---

MENGRONE: This man trusted me for 6 weeks right now, he thinks I grabbed the money, nobody knows about the kid OK - because he said it was a mistake - the only reason that we done ----

GUIDA: I'm not gonna talk now - I'm just gonna talk about the fucken rip off thats all - I'll tell to hold tight - that ah --

MENGRONE: That we are trying to resolve it

GUIDA : Right my word of honor pal.

MENGRONE: OK

GUIDA : I'll tell him.

MENGRONE: I appreciate it - because Al said like you said, he said talk to Charlie tell him how serious it is.

GUIDA : Jesus Christ.

MENGRONE: Because the guys a good guy - he'll do the right thing - but even that nite - remember the night he told Louie to tell me that he would show the money to the Yom - thats all the Yom come up for just to be sure he hadn't been beat for the money.

GUIDA: Jesus Christ Almighty - he's got the fucken money too - I don't understand why he don't do it.

MENGRONE: Because its a game - its a game with him - he thinks this is funny - would it be funny Charlie if I gave him up to the fucken Yoms or gave up his mother and father to them ---

GUIDA: Nah-ah-er-rippen people off is no fucken game-its not supposed to happen among people that know one another.

MENGRONE: You don't do it to your own kind also.

GUIDA: I think-I think- you know what I think? Its between him and Ernie-you know what I mean and he's using this as a fucken wedge or something.

MENGRONE: Well how can you use a wedge when you got my family involved once the family is involved---

GUIDA: I know - please Pete don't even ask-I'm all alone-I see how it is with a guy with a family-man thats terrible-its sickening-

MENGRONE: (Inaud.) they should have done that and that was it — and Bobbie Gooch had sat with him and talked and says I don't understand anymore — I think the coke has gotten to him—he must be wacked out because he says ah he just talks off the top of his head—he— this kid knows me a long time he's done a lot of things with me—where you know— he's earned money but now I guess he's at the part where he don't care about anybody but to give up ah—give up Louie LePore and all those guys—

GUIDA: I hope I today or tomorrow - you get this fucken thing - I swear to God this is ridiculous.

MENGRONE: I hope so because he's got me walking with- you know what I'm walking around with? I got Louie's 45----

GUIDA : I know I could imagine.

MENGRONE: Because I gotta look over my shoulder

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GUIDA : Look I'll be ah - I'm gonna shuffle on out of here - I'm going downtown right now cause I gotta go down ah - Foley Square, you know---

MENGRONE: Look I'll be down at the Magic Carpet tonite at 11 cause if the call---

GUIDA: Thats early but I'll be Harlem- you know what - 1'll call there - I'll come there maybe later.

MENGRONE: Alright.

GUIDA: If I find out anything - If I see Bevines, I'll come there I'll take a fucken cab and come right there.

MENGRONE: Ok I'll take care of the cab.

GUIDA: Don't worry I got a few dollars - I hustled a few dollars the last few days- a few dollars - a fucken boat - but that don't mean nothing.

MENGRONE: And I'm walking around with 26 dollars to my name.

GUIDA: Oh my God Almight - all over the stupid fucken - how Pete later I'm gonna have breakfast.

MENGRONE: OK Charlie be good -

GUIDA : Bye, bye babe

MENGRONE: Bye.

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END OF CONVERSATION

THE PROSECUTION CONTENDS THAT
ON SEPTEMBER 14, 1973 AT 11:50 AM
THERE WAS AN INCOMING CALL TO
914-668-0945 FROM ALBERT ROSSI
AND JAMES CAPOTORTO TO PETER MENGRONE

Conversation: 1143 EXH 17

ROSSI : Good morning - hello.

MENGRONE : I'm up, I'm up.

ROSSI : You up?

MENGRONE : Uh huh.

ROSSI : So what's new - what happened last night?

MENGRONE : Oh I spoke to Tony.

ROSSI : You spoke to Tony.

MENGRONE: He spoke to da

ROSSI : Talked to my people in Brooklyn.

MENGRONE: Right and he said they gonna..... the four of us are gonna sit me, you,

him and the other guy.

ROSSI : Yeah.

MENGRONE: Work out what we gotta work out and then ah - you sit with Earl and them

and work out what you got there, you got the beef with him, I realize it

now....

ROSSI : Did you what?

MENGRONE: You got the beef with Ernie, I'm realizing it now and I wish I didn't

ah ... get involved between it but ah ..

ROSSI : (Inaud.) what did you say? Oh, oh because Tony said he met the guy.

MENGRONE: Yea he met him.

ROSSI : He knew him?

MENGRONE: Well I don't know if he knew him or not, I didn't get into any discussion

with him. He says that they're setting it for today, sometime today or

tonight, the four of us.

ROSSI : Earl too?

MENGRONE: Hah?

ROSSI : With Earl?

MENGRONE: No, no, no, this is just for the four of us, me, you

ROSSI : Does Ernie know about this yet?

MENGRONE: Yea Ernie knew.

ROSSI : No ah who?

MENGRONE: Ernie knows.

ROSSI : Ernie knows the people down in Brooklyn got in touch with you.

MENGRONE: Right.

ROSSI : And what'd he say?

MENGRONE: He says that ah- you and him will get together and source out your

differences.

ROSSI : Ah-hah.

MENGRONE: And I told him I said, in fact, I told him what you started here because

of you know, the thing between you and him, I don't know why it is or what

it is, I know that you got me on the fuckin line for something and its not right - he says don't worry we'll take care of it I'll ..

ROSSI : Did you tell him its (inaud.) to people who is gonna sit with his father?

MENGRONE: Yea he knows that.

ROSSI : He knows that?

MENGRONE: Uh huh.

ROSSI : There's no more fuckin games over here Peter, believe me when I tell you

these people ain't small people - they're very, very good fucking people

and they pull a lot weight

MENGRONE: I wish you would have gone to them say Friday or Monday.

ROSSI : What'd I tell you Pete, the people told me to stay in the woodwork, you

think I'm lying to you Peter!

MENGRONE: No - because

ROSSI : (Inaud.)

MENGRONE: Go ahead.

ROSSI : These people told me, don't go nowhere, don't do nothing stay away from

everybody, don't go see nobody, thats the day after I made the ... remember

ROSSI: the day I made the appointment with you. I'll see you the next day, thats cont'd. the day, I... that night those people, the people out here don't go see no fuckin body. I don't give a fuck who it is. Stay in the woodwork - and I stood in the woodwork. Now, Tony Braciole did not go to my house-who went to my house, Peter!

MENGRONE: Go ahead.

ROSSI : Tony Bracciole did not go to my house.

MENGRONE: Nobody said he did.

ROSSI : What?

MENGRONE: Nobody said he did.

ROSSI : Well who, who went up to my house?

MENGRONE: Well who do you think went.

ROSSI : You?

MENGRONE: Of course.

ROSSI : No they said it was somebody else. Did you leave your name as Tony Bracciole?

MENGRONE: No - for Christ.... the message left with the doorman, my cousin went up.

ROSSI : Oh your cousin went up?

MENGRONE: With me, drove up with me, told him that he wanted to see you, to call him at the club, what the fuck you know, you know what my cousin looks like.

ROSSI : Yea, well they said it was Tony Bracciole but it wasn't Tony Bracciole.

MENGRONE: Nah - he say just go tell Albert to get a hold of me because he said he could talk to you.

ROSSI : Yea.

MENGRONE: No animosity, no beef.

ROSSI : I know that - he had no problems with nobody.

MENGRONE: You know what the problem is?

ROSSI : What?

MENGRONE: A lack of communication - all the man says and he said it again, he says Albert a good boy, theirs no problem with Albert, if I talk to him we can work it out and whatever his beef with Ernie - he sees it himself - let them get to Earl and work out the beef there. That has nothing to do with me.

ROSSI : Yea.

MENGRONE: And he's right, if the kid knows your on the line - which you know - in fact I told you that right off the bat.

ROSSI : Yea.

MENGRONE: This colored guy knows my house - he knows my family, what are we playing? It's not ah... its not like I'm an invisible person, he's got me pinned here.

ROSSI : Yea.

MENGRONE: Fine - why should I have to pay a price, my family pay a price, cause Ernie.

ROSSI : I agree with you - I agree with you 100% - I'm not giving you (inaud)

MENGRONE: Cause I spoke ...

ROSSI : I'm telling you I can't do nothing because these people are officially declared with them and they're running the boat now as far as Ernie.

MENGRONE: The figures I heard like I mean theirs 60, 80, grand between yours. That has to be resolved - Louie's money.

ROSSI: Theirs more than that Peter - just with the fuckin tea alone. I got like 67 thousand outstanding there, just with that - and not only that, the money he made with you - where the fuck is my end - not only that I got in trouble on account of him - with the case with Susan - what the fuck did I do there I didn't do nothing there.

MENGRONE: Keep one thing in mind, he got me involved there which he shouldn't have.

ROSSI : Well listen, I gotta fo for 5,000, I hey Peter.

MENGRONE: Yea.

ROSSI : I never knew your uncle was a cop?

MENGRONE: My father is.

ROSSI : Oh your father is a cop.

MENGRONE: Of course he's a New York City Detective.

ROSSI : With the New York City Detectives!

MENGRONE: Albert, Albert....

ROSSI : I found that out last night.

MENGRONE: Albert you come to me and asked me and I told you - he can go to the probation department. ROSSI : Yea, yea.

MENGRONE: And then the next day - you hald it isn't necessary, you took care of it.

ROSSI : Yea.

MENGRONE: This is why, I stop and say to myself this can't be happening to me because you ask me to do things which I go ahead and do - get myself involved and all of a sudden tag - I'm it

(Operator cuts in)

ROSSI : Alright operator - alright then sometime today, me, you, Tony and my man is gonna get together right?

MENGRONE: Right.

ROSSI : They know the time.

MENGRONE: No - they're supposed to call me and tell me.

ROSSI : Who is?

MENGRONE: Your people or my people, I don't know, its up to Tony.

ROSSI : Alright.

MENGRONE: If you reach this guy, you tell him me - because if we can resolve our end - let me tell you something - you know I'll go to bat with you.

ROSSI : Uh - hum.

MENGRONE: Because you got no problems with me.

ROSSI: Well I'm only eh-eh, cockeyed Nickys ass is on the line over here too - I'm their all up, I want all my fuckin Pete. I want all mine - nothin to do with you, I don't want to put you in no trick bag, believe when I tell you but I want my money Peter.

MENGRONE: Its up (inaud.)

ROSSI : Could you see my point?

MENGRONE: I see.

ROSSI: Could you see my point - Ernie makes his 8-900 a week with Gimbels - he sits back, I got shylock money outstanding over here - got about 60-70,000 alone with that tea over there.

MENGRONE: Would you like to know that I got \$7.00 left, plus, plus no job.

ROSSI : I know that - I know that.

MENGRONE: And I can't even go to work.

ROSSI : Does he worry about 1t?

MENGRONE: He couldn't care less.

ROSSI : Ernie don't care.

MENGRONE: Couldn't care less.

ROSSI : What did Ernie say? He's not involved.

MENGRONE: Hah.

ROSSI : What did Ernie say, he's not involved and don't mention his name, right?

MENGRONE: Or his father's name.

ROSSI : Or his father's name - but yet why did Earl want to see me?

MENGRONE: I don't think it was on this.

ROSSI : What?

MENGRONE: I don't think it was about this.

ROSSI : Well what was it about?

MENGRONE: I don't.... let me tell you something - I didn't even know he wanted to see you until....

ROSSI: I called him up all day yesterday, I left messages all over creation - called up Ernie's sisters house, I called up Ernie's father's house, I called up Dominick's - my people but my people will sit down with Earl - no problem.

MENGRONE: I wish you would've done it Monday cause all I know - we saw Lucas yesterday.....

ROSSI : And what'd he say? We're supposed to have an appointment with him this afternoon, I forgot to tell you .

MENGRONE: He's going fucking berserk.

ROSSI : I know, we're supposed to have an appointment with him sometime this afternoon - through this Bibbens - Gene Bibbens in Harlem.

MENGRONE: And as he put it to me - he said it yesterday he says - what you have from me, that was his own personal money is between you and I.

ROSSI : The 26?

MENGRONE: Hah?

ROSSI : The 26?

MENGRONE: Its 20 - the 6 is what Kenny beat him for thats worked off the manita and stuff that - fine. Thats between him and I. Thats a running account, when he needs goods, I supply it but he says he is on the book for the 30 and they're chasing him and he's chasing me and this is a circus.

ROSSI : You know this guys got no money between you and me Pete.

MENGRONE: The way its showing up now?

ROSSI : Yea.

MENGRONE: He's got he had money up you know originally.

ROSSI : But I mean to say if he had a lot of money he'd lay out the 30 and then get it off you.

MENGRONE: He can't even go to get the money.

ROSSI : Why?

MENGRONE: Why! cause obviously he's wacking with a crowd from Chicago some rebels.

ROSSI : Who?

MENGRONE: Some rebels from Chicago - they're not hooked up with anybody and as far as they're concerned, he's got 30 thou of their money and they want it, they don't want him juggling it and he turns around.

ROSSI : If he don't have this 30,000 in his bank (inaud) to lay out, thats what I'm trying to tell you.

MENGRONE: Well he's telling me that he won't even go home to try to get it - you follow me, he doesn't even want his wife to make a move towards the bank....

ROSSI : When did you see Ernie, Peter?

MENGRONE: Ernie, last night.

ROSSI : Where?

MENGRONE: Up at the Venetzia.

ROSSI : Who was he with?

MENGRONE: Ah the chick.

ROSSI : His girl - you told him oh

MENGRONE: I gave him the message that, what you got in your heart for him (inaud)

the whole stick.

ROSSI : What, I didn't hear you.

MENGRONE: What, what you said, what you got in your heart, you know with him.

ROSSI : Yea.

MENGRONE: Is gotta be resolved. The whole thing and then I said to him, I said to him whats the problem between you and him, that you got me involved in thats liable to get me killed?

ROSSI : What he say?

MENGRONE: Hah - he says no I'll get a hold of Albert, I'll work it out don't worry.

ROSSI : I'll work it out.

MENGRONE: Everything is don't worry - but like

ROSSI: Let me tell you something, I only hope and pray that all these people do the right thing over here - believe me what I tell you, cause if they don't do the right thing, its not in my fuckin hands anymore. Its with this crew out here and everybody got a big problem, cause you won't have a problem cause I told my people out here that you did the right thing you did the right fucking thing as far as I'm concerned Jimmy saved you, I swear on my kiss so help me Jesus Christ..

MENGRONE: This is something I said to you yesterday....

ROSSI : Peter you want to listen to me?

MENGRONE: Go ahead.

ROSSI: When I see you personally - I'll tell you but you did the right thing.

I'll make you throw up - I'll make your guts show up. Did I tell you,

I mean you, you don't seem to contemplate this, that that from the beginning all this was supposed to be a beat - hah - from the beginning all this was supposed to be a beat and when I found out that there was really something around, I said what do you want to beat this guy for? Did I tell you I never went around beating people? (Inaud) with Ernie.

MENGRONE: Well this is why, when we went - I met you downtown with my cousin and we sat in the car and we figured out how many pieces etc. right?

ROSSI : Yea.

MENGRONE: And was everything set?

ROSSI: It was not, no problem over there. I called Louie Guerra I says Louie, I says, I'm responsible for... according to this I owe you 31, I owe Pete 30 thats 61. People owe me 67 but thats forgotten about, all the money that people owes me - try and understand it - well you know I believe - I says I don't give a fuck what you believe was there that day - I says I'm telling you what's going on - I says over here there is a serious fucking problem on Ernie's part. Ernie figures his father - his father - father ain't the only wise guy in New York City Peter.

MENGRONE: No see the point is see like I met his father once - that time in fact you were there - up at the showroom.

ROSSI : Yea.

MENGRONE: In fact when I walked in he was standing there talking to his father that was the only time I ever met the man.

ROSSI : Yea.

MENGRONE: As I said to you, I don't know the guy, I don't want to know him - like you say I don't get involved with anybody, what I had was with you - to be able to do something because you knew I was in trouble.

ROSSI : But - but

MENGRONE: To compound it the way it happens.

ROSSI : Tony Brage, did he say he was with the people? You know that?

MENGRONE: He came right over at 10 o'clock, in fact and he told, you know, you come down you talk to this boy, he was given the money, there holding him responsible for it and he knows it because like you know, I went in and said they're looking to wack me, I mean lets not get ridiculous, you know over something and he says you know, (inaud) not to meet anybody alone, and of course I went ahead and did it again yesterday—

ROSSI: Tony told my people this - Tony told my people Tony Brage told my people that they're looking to wack you and you're responsible for the money and everything.

MENGRONE: Yea cause they don't want to know from nothing and like you said last nite - to give you up - you better know me better than that

ROSSI : Did I lie - or did I get somebody to get in touch with you by 11 o'clock?

MENGRONE: You want the truth?

ROSSI : What?

MENGRONE: Bracciole got back at 11:30 OK.

ROSSI : What?

MENGRONE: He got back at 11:30.

ROSSI : Who did?

MENGRONE: Tony.

ROSSI : With (inaud) my people?

MENGRONE: He and (inaud) to go alone with this guy who was it Danny?

ROSSI : Who Tony met Danny?

MENGRONE: Is that his name Esposito?

ROSSI : Yea from Brooklyn.

MENGRONE: Yea.

ROSSI : Who went just Tony and Danny?

MENGRONE: Just the two of them went and set some place for about an hour and had some dinner - talked.

ROSSI : And dinner and talked.

MENGRONE: So he got back at 11:30 and I'm sitting here waiting like I don't know what the hell is going on -----

ROSSI : Ah - you thought I was bullshitting again.

MENGRONE: Hey - I don't question you - if you get on the phone as a man and say Peter, I'm doing this period - I said this to you last week when you said to do everything you wanted, the next day Saturday, I have the guy sitting there---

ROSSI : You don't sound good at all, you sound sick as a dog.

MENGRONE: Wouldn't you be?

ROSSI : Yea, I'd be too, wait a second Pere, Jimmy wants to say something.

CAPOTORTO: (Jimmy gets on phone) Hello, Peter.

MENGRONE : Yea, Jimm how're you doin?

CAPOTORTO: Listen ah - after all this is over - the best advice I can give you listen to me carefully.

MENGRONE : Yea.

CAPOTORTO: Don't put yourself in a position to be used by anybody and get away from that fucken freehole your around.

MENGRONE: Let me tell you something, I would have gotten away from him a week ago when it started - except that I'm in a trick bag - and there looking for me----

CAPOTORTO: I want to tell you something, if worse come to worse we gotta go down and do what we have to do with them Moulies, thats no problem either, you know--

MENGRONE : Except for one thing.

CAPOTORTO: What?

MENGRONE: They know my house and they know my family.

CAPOTORTO: We could straighten that out too.. I'll give you something to straighten that out.

MENGRONE : Yea except that.

CAPOTORTO: Don't mind this fuck - I don't whether (inaud) I really don't give a fuck, you know what I mean - cause Ernies got a big fucken mouth he likes to go around using people and labeling people, but there only one thing wrong, today, tomorrow, you know what you say is gotta come up, if you spit in the wind its gotta come back down, you know what I mean.

MENGRONE : Yea (inaud)

CAPOTORTO: You wanna go around labeling people, you gotta be qualified to sit down

and tell people this.

MENGRONE : Ah, he doesn't.

CAPOTORTO: He's in the wrong, he's in the wrong church or the wrong pew where I'm

concerned, because his track record is, couldn't compare to mine within

300 feet.

MENGRONE : All I told him last nite, was what you did, I said you got a problem

with Albert, you supposed to sit with Ablert, and resolve your problems, you don't put me in a position where I'm gonna get fucken killed or my

kids are in danger, because you and him have a beef.

CAPOTORTO : Who's this?

MENGRONE : Ah I told Ernie this--

CAPOTORTO: Oh.

MENGRONE : I said what I doing, every move in fact, the nite I met you guys remember

CAPOTORTO: Yeah.

MENGRONE : In the car.

CAPOTORTO: Oh I got steamed up that nite, I tell you I got steamed because I didn't

want, I felt that we should er- we were gonna be the Moulies you know

what I mean.

MENGRONE: Oh-don't Jimmy, you don't know me- OK

CAPOTORTO: Well you don't know me either - you know what I mean.

MENGRONE: But the point is - this ain't my bag, Albert knows, they gave me a chance

her to earn something because I was in trouble.

CAPOTORTO: Ah-you know what to do, listen to me, I personally ain't gonna put you

in a trick bag, you understand?

MENGRONE : Right.

MENGRONE: Oh I am in it now cause this----

CAPOTORTO: (Inaud.) well I ain't gonna put in trick bag and the little guy ain't

gonna be put in the trick, the meet is going down, doing what we gotta

do, I witcha 500%.

MENGRONE: OK cause this Yom, all this Yom knows, he said it yesterday again he says look, the money that I gave you from Minoxies he gave me money about 5 weeks ago, which you know I had bo buy Manita, and other things with, fine thats between him and I personally cause its his money and his brothers----

CAPOTORTO: Oh let me get together with my man we'll find out what (inaud)

MENGEONE: Explain to the 30 is the, the hang up with the 30, is the fact that the people from Chicago put it in his hands and why did he give it to me, and he doesn't know me that well--

CAPOTORTO: Ah-hum

MENGRONE: And he they think, I beat him so he says, their looking for him, so he's looking for me, he knows my, I told Albert this man has been to my house OK?

CAPOTORTO: Yea, right.

MENGRONE: You don't leave me open when this man could walk here.

CAPOTORTO: Well that could be straightened out - believe me.

MENGRONE : Oh.

CAPOTORTO: So this (inaud.) believe me.

MENGRONE: The fact if all, you know what he said.

CAPOTORTO: (Talks to Al in background) the 1600 did you get that from that thing?

CAPOTORTO: What are you laughing for?

MENGRONE: I'm laughing eh-- (operator wants 50 cents more) ask Albert when he thought I had the chance to go out and collect it?

CAPOTORTO: (Inaud)

MENGRONE: I haven't had a chance to exit - I've been ducking and hiding - this is no way to live.

CAPOTORTO: We'll straighten it out this---

MENGRONE : I straight - he know I'm good for the 16, what I am I gonna go

CAPOTORTO: Lemme go, lemme go and have a cup of coffee, I am gonna (inaud)

MENGRONE: If you talk to these people, today if we can sit, the 4 of us me him Tony and Al, we can work out our end, whatever I gotta do to help Albert on his and he knows he has it, OK hello there - (Jimmy yea)

MENGRONE: As I was just saying - if you can get a hold of this guy and say hey - lets get it over with today, with the 4 of us cause he wants me Tony Albert and you know, Danny to sit today, I said fine, lets get our end over with.

CAPOTORTO: (Inaud.) what guys my (inaud) I straighten out today

MENGRONE: Yea - then whatever, whatever has to be done, with Ernie, and as far as me- you know---

(APOTORTO: (Inaud) has nothing to do with it - the onlything I'm telling you, best advice I can tell you is stay away from the guy. Do what you wanna do, I'm not telling you what to do, only advice I could give you, is don't get involved with the guy, but you personally could do what you wanna do--

MENGRONE: Nah this

CAPOTORTO: (Inaud.)

MENGRONE: This was it, like Albert said has got some stuff that could move for him, fine he knows I move things, (inaud.) at a time.

CAPOTORTO: Alright - I tell ya, lets straighten out what we gotta straighten out, we get back with you later.

MENGRONE : OK

CAPOTORTO: But don't worry about nothing.

MENGRONE: Do good - tell Albert I talk to him later.

CAPOTORTO: He don't.

ROSSI : Peter did Tony give you anything?

MENGRONE: (laughs) how could I do anything with Tony? (Inaud.)

ROSSI : Alright OK listen to me, we'll be in touch with you today, everything is gonna be straighten out, you'll be taken out of this trick bag don't worry about it.

MENGRONE: If I swear to you on my mother -

ROSSI : Is that good enough?

MENGRONE: Wait let me say something to you.

ROSSI : Don't don't have to say nothing to me, I tell you something is that good enough - that you'll be taken out of this trick bag.

MENGRONE : I take your word for it.

ROSSI : One word or, one way or another, you'll be out of this trick bag by ertomorrow morning, I guarantee you that.

MENGRONE: I take your word for it as a man, OK?

ROSSI : Alright - I don't wanna see nothing happen to you - nothing happen to your kids, I'm not a fucken freehole- so don't worry about it.

MENGRONE: OK

ROSSI : Most likely I'll be seeing you sometime today.

MENGRONE: OK

ROSSI : Alright, Pete.

MENGRONE: Be good brother.

ROSSI : Good-bye.

MENGRONE: Good-bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 14, 1973 AT 12:35 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE

Conversation: 1146 EXH 48

Beginning of conversation non-pertinent

MENGRONE: Hello.

CORALLUZZO: Hello.

MENGRONE: Hello there - how're you feeling?

CORALLUZZO: Ah- you know yesterday looks like its gonna

run second to today so far.

MENGRONE: Don't even say it.

CORALLUZZO: Yes, I'm saying it. I'm saying it.

MENGRONE: Because he called me, and if you couldn't do it.

CORALLUZZO: I know everything, I know everything, I know

everything, everything is under control as far as there goes, now we're looking for the beard.

(lau hs).

MENGRONE: Oh God, God in fuckin heaven.

CORALUZZO: Alright look ah-you know the other guy - e psycho?

MENGRONE: psycho, yes.

CORALLUZZO: He called my girl, where she's staying with

Marland.

MENGRONE: Right.

Conversation: 1146 (continued)

CORALLUZZO: Called there 9 times yesterday until 11:30

last nite, looking for me, tell her to reach

me.

MENGRONE: Weknows where to reach you whose he bullshitting?

CORALLUZZO: I know

MENGRONE: Why they moved Gimbels all of a sudden?

CORALLUZZO: Don't know; no he called I wasn't there, they

said.

MENGRONE: Yeah, that's how.

CORALLUZZO' Where you waiting on that call - right?

MENGRONE: I am here, where am I gonna go; at the

moment I have Holy Christ Almighty; I won't

even tell ya - I got about ah-

CORALLUZZO: Alright, don't worry about it; we get your

er- house money today, one way or the other

cause er-

MENGRONE: I left a dollar; I left a five on the table last

nite at the Vanettis for the girl, cause I had

6 when I started.

(inaud)

MENGRONE: No I am just

CORALLUZZO: We got your er- your house money, today--

MENGRONE: The girl is er- satisfactory to him.

CORALLUZZO: Yea I know-I know-I know-I said I know.

MENGRONE: Ah wish I know that yesterday, son of a bitch.

JPL:ik

Conversation: 1146 (continued)

CORALLUZZO: Don't worry about it; we do what we gotta

do, with these people.

MENGRONE: OK

CORALLUZZO: He likes you again, because you, you stayed there

when he got pinched.

MENGRONE: Did he?

What did he think I was gonna do, sell him out?

Nah - I'm not (inaud) they're alright.

CORALLUZZO: We'll see

MENERONE: II call you in an hour.

MENGRONE: Let me tell you something - I rectified some-

thing last nite and then he proved a point; remember what I said to you what the prob-

lem was with him?

CORALLUZZO: Yeah.

MENGRONE: He took out the slip of paper, and showed

him third name was Pinky owes him 500.

CORALLUZZO: Yeah.

MENGRONE: And he says to me.

CCRALLUZZO: Alright-alright-alright

MENGRONE: (inaud) cause sometimes you always think

it's me, and I try to tell ya stop for two

seconds.

CORALLUZZO: Ok, let me call you back.

MENGRONE: Ok, have fun ; I'll be here; you want me

to sit here?

CORALLUZZO: Yeah.

I'll sit here. MENGRONE:

You gotta sit there tonite for Tony's call don't ya? CORALLUZZO:

MENGRONE: Yeah, I am here.

CORALLUZZO: Alright bye-

MENGRONE: A bye bye.

END OF CONVERDATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 18, 1973 AT 4:36 P.M. THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE

Conversation #1379

CORALLUZZO: Hello

MENGRONE : That's better now I can hear ya.

CORALLUZZO: Yeah.

MENGRONE : What's happening?

CORALLUZZO: Ah, this fuckin strike, I don't know when I'm comin or I'm goin

MENGRONE : You OK or what?

CORALLUZZO: I don't know, I got a few guys hangin and waitin for me.

MENGRONE : You sound wrecked.

CORALLUZZO: (Inaudible) fuckin trucks out last night.

MENGRONE : They come back yet or what?

CORALLUZZO: Hah, hello.

MENGRONE : What happened you sent the trucks out.

CORALLUZZO: Yeah.

MENGRONE : And then they couldn't get back in.

CORALLUZZO: Yeah I'm gettin them back in now, but ah they're not too happy about it

MENGRONE : Heh Jesus.

CORALLUZZO: I think they sent a couple a heavy hitters over to the gas station I don't give a fuck I got the piece on me, I swear to Christ I'll fuckin shoot em, I'll shoot em in the fuckin leg, foot, the Yoms I don't want to kill em.

MENGRONE : No that's all you gotta do.

CORALLUZZO: Your cousin Frankie, I'm, I'm dead fuckin broke.

MENGRONE: I spoke to him, when the hell was it last night. He's supposed to call me again tonight, nobodys done nothing but I'll see what he's got, whatever he's got I'll have him drop it off at the Venetia probably cause we haven't done, we haven't even discussed

CORALLUZZO: Yeah tell him to leave it with the bartender.

MENGRONE : Yeah.

CORALLUZZO: And I'll call ya, what time should I call ya.

MENGRONE : (Inaudible) I'm not going any place, I was supposed to go to the doctor

tonight that's all.

CORALLUZZO: You're in bad shape eh.

MENGRONE : Yeah not doin too good.

CORALLUZZO: 'Why don't ya give me his number, I'll call him myself.

MENGRONE : Because he's with his girl and (inaudible) I got the home phone but

he's never there. He's got this chick he lives with in Queens.

CORALLUZZO: Hah

MENGRONE : He lives with a chick in Queens but I don't have his phone number

with her.

CORALLUZZO: Oh, oh, oh.

MENGRONE : So cause he fucks around all the time anyway, I'm liable to call up

and he's not there.

CORALLUZZO: Uh, huh.

MENGRONE : So ah, he's no problem. In fact you might catch him in the

neighborhood every night. That's where he fuckin stops, in fact we

saw him that night with ah by the Roosevelt.

CORALLUZZO: Huh

MENGRONE : If, if he's any place he'd be in the neighborhood at night normally

because that's what he always did before he met me at the club he'd

stop in the neighborhood.

CORALLUZZO: Alright, I'll call you later, nothing else right.

MENGRONE : Nothin T.B. spoke to the guy yesterday.

CORALLUZZO: Yeah.

MENGRONE : And he wants to see me tomorrow night Tony, cause he's gotta see

somebody tonight. This kid is lyin, swearin, cheatin, he says the

story changed 60 times in 4 days.

CORALLUZZO: And does the realize that

MENGRONE : Well this is, ah what Tony tells me. He says the guy doesn't know

whether he's comin or goin anymore.

CORALLUZZO: Uh huh

MENGRONE: So Tony said well lets just stop the shit, I told you what the hold up is.

CORALLUZZO: Wha

MENGRONE : This kid is definitely trying to get to your father.

CORALLUZZO: And let him go, I'll bring my father wherever he wants, tell him to tell him that.

MENGRONE : This is, this is, well this again I didn't want it involved, but this is

CORALLUZZO: You could tell T.B. because when my father sees him he's gonna hit him with a fuckin pipe.

MENGRONE : OK cause this is

CORALLUZZO: No matter where it is.

MENGRONE: This is what the kid told me. He said, in fact when I had spoke to him, that time he tried to make a plea for the guy Jimmy about what he said about your father and I said let me tell you something when the guys mad he says what he believes, you said it stick by it you know.

CORALLUZZO: Um hm, already he tried to cop out huh.

MENGRONE: Yeah, he says ya know you shouldn't have told Ernie what he said about his father. I said what are you talking about he said it thats all, if I only repeat (inaud).

CORALLUZZO: You should ttold him, he didn't tell me you tell him Bobby G told me. You should ttold him 9 other guys told me if he calls again you tell him.

MENGRONE: He hasn't called since (inaud) ah what did he put it to the other one, that the weight is supposedly off me but they want your father to sit down and this is between you and Albert. He went through a whole fuckin schtick, this is what he told Tony, that Gooch had come down to the club that night and told Tony ah that this was an honorable thing you know from the beginning and Albert went off his fuckin head and stole the fuckin money and that ah thats what should be resolved, and now its just a matter if I sit here and I wait, nobody calls up.

CORALLUZZO: Hm

MENGRONE : Of course getting destroyed here physically ain't helpin either so

CORALLUZZO: Yeah

MENGRONE : Do that

CORALLUZZO: Alright.

MENGRONE : Cause I gotta go to.

CORALLUZZO: Meanwhile this Eddie, he, he would be a great help, there's no way Peter I'll, I'll go to Chicago to find him anywhere.

MENGRONE: God's honest truth, if I knew a place to reach him, if you check around nobody knows how to reach this guy, he just picks up the phone and calls ya. And he told me he would get back to me and not to worry about it he wants to do something, he was gonna do it big though. He didn't want to be bothered with the 1/2 you know.

CORALLUZZO: Hmmm

MENGRONE: He says 4-5 lets get it done, cause he knows we can do it so ah he had to get his people and that was it, he'll get back to me, I've been sittin, what do you think I haven't left the house for. I should went to the doctor before this.

CORALLUZZO: You got any of that other thing at all.

MENGRONE : What other thing is that now.

CORALLUZZO: Anybody has the, the boy.

MENGRONE : Not that I know of, why doesn't ah the beard is no good.

CORALLUZZO: He says he's not gonna obligate himself, cause he don't have it, he's got the other thing and thats it.

MENGRONE : Oh Jesus Christ, and he can't reach out huh.

CORALLUZZO: No.

MENGRONE: I'll reach that's all I can do is reach and see what the hell I come up with.

CORALLUZZO: (Inaud) ah meanwhile Frankie's there tell him what he's gonna do.

MENGRONE : Yeah, if I get a hold of him, like you say he knows I'm in bed so.

CORALLUZZO: I layed out over, over 400 in expenses over here in the last 2 days.

And I came over here to get him and fuckin Joe left and we ain't gonna work tomorrow here.

MENGRONE : Oh shit.

CORALLUZZO: I ain't gonna see him.

MENGRONE: OK well I'll be out tonight, I should be home before 12 guaranteed but if I get home.

CORALLUZZO: Where you goin tonight.

MENGRONE : Hah.

CORALLUZZO: Where you goin ?

MENGRONE : Out to Jersey, I gotta go to the doctors.

CORALLUZZO: Go to the doctor in Jersey.

MENGRONE : I go to the one in Westwood, you know.

CORALLUZZO: Oh.

MENGRONE : The one that I want Nicky to go to, Nicky says he needs a doctor.

CORALLUZZO: Hm. .

MENGRONE : So I gotta go out for the shot anyway so I'll tell him you know.

What I want him to do and let Nicky go out, he'll give the note

and everything.

CORALLUZZO: Yeah.

MENGRONE : Sayin that you know he's been treatin him for so long.

CORALLUZZO: Hm.

MENGRONE : Well you know I don't want to do that over the phone you gotta talk

to the guy, you can't look scum ba del.

CORALLUZZO: Oh yeah.

MENGRONE : So, I'11

CORALLUZZO: What time you goin to him.

MENGRONE : Anytime after 8-9 o'clock I gotta see what the hell happens here.

CORALLUZZO: Alright I'll call you before that in case you hear from Frankie.

MENGRONE : OK call me around 7:30 I'll be here.

CORALLUZZO: OK

MENGRONE : OK stay loose, bye, bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 25, 1973 AT 7:01 P.M. THERE WAS AN OUTGOING CALL TO 212-231-9221 FROM PETER MENGRONE TO ROBERT BROWNING

Conversation #1706

EXH 50

BROWNING: So what's doing?

MENGRONE: I have no idea, none at all I just sit here and I wait (laugh).

BROWNING: You didn't see Ernie?

MENGRONE: No he I had called last night but he was busy on the other phone

never called me back, Albert called me yesterday (inaudible)

BROWNING: Called you?

MENGRONE: Yeah.

BROWNING: What'd he say?

MENGRONE: Nothing a I wasn't here and he called again.

BROWNING: He

MENGRONE: He he called yesterday and today I wasn't home both days.

BROWNING: Oh .

MENGRONE: So

BROWNING: Alright because a you gonna be home now in a lil how long you gonna

be there?

MENGRONE: I'm home like you know.

BROWNING: All night?

MENGRONE: Well

BROWNING: Ha

MENGRONE: Yeah, you gonna see him tonight?

BROWNING: Yeah.

MENGRONE: Maybe ya sara

BROWNING: I'll see him in another hour he said an hour probably an hour an a

half two hours you know him.

MENGRONE: (Laugh) well wadda you thing what's going on?

BROWNING: And a very good you know, very good, you know what I mean.

MENGRONE: Yeah except that he never talked to the shine and that's all I can't figure it out.

BROWNING: Well now what a what we're gonna do is a we're gonna give you you know what you're supposed to get right.

MENGRONE: Um hum.

BROWNING: You know and a

MENGRONE: Either that or

BROWNING: No list

MENGRONE: S something else make no as long as we can come up with something.

BROWNING: Yeah right we're gonna do thats and a them for what they did to you, you know that's another story.

MENGRONE: Yeah.

BROWNING: It has nothing to do with anything else.

MENGRONE: But as I told you thats has to lay low until a least

BROWNING: Yeah I know but I'm just say

MENGRONE: Yeah

BROWNING: But I mean, like that we talked about he says well thats, they a did the wrong thing, you know, well we'll talk about it alright but I I'll

MENGRONE: (Inaudible)

BROWNING: Definitely.

MENGRONE: Always keep one thing (inaudible)

BROWNING: You know, you know I wasn't here you know I was in a Florida right?

MENGRONE: Wa I had no idea.

BROWNING: Oh I thought yous, I thought you knew that's why a

MENGRONE: No, no, no (stammers) I called (inaudible) lemme tell you something OK whatever else went on, you're the only one that's been straight OK so I'll call you like to find out what's happening.

BROWNING: Well I

MENGRONE: So al always keep one thing in mind I would a wacked this fucking nigger myself immediately 'cept for one thing too many people know it's me.

BROWNING: Right.

MENGRONE: I mean like like you said this turned out to be a total circus where

like you know.

BROWNING: (Inaudible) well listen a

MENGRONE: Later on when theirs nobody going on going on we take a ride.

BROWNING: Alright (inaudible)

MENGRONE: Down the gas station bink.

BROWNING: Alright I hear.

MENGRONE: I'm hip (laugh)

BROWNING: Yeah I know it's listen Peter.

MENGRONE: Go ahead.

BROWNING: A like I said an hour and a half he's supposed to pick me up here.

MENGRONE: Yeah.

BROWNING: And then a.

MENGRONE: Tell him pick up the phone.

BROWNING: I wanna get to you, no I don, I don, I wanns ga see you (stutter)

in person.

MENGRONE: Um hm.

BROWNING: You know understand and wanna get everything straightened out alright.

MENGRONE: OK no problem just call first cause I'll be here.

BROWNING: Yeah I'll call you know alright Peter.

MENGRONE: You got it?

BROWNING: What?

MENGRONE: You got it.

BROWNING: OK.

MENGRONE: I'll talk to you, I'll be here.

BROWNING: Alrights, Pete stay there if you if you go anywhere.

MENGRONE: No I'm not go out, where'm I gonna go.

BROWNING: Leave a message where you are so we can get in touch cause definitely

I would like to get in touch with you tonight.

MENGRONE: Yeah, just you and him.

BROWNING: Yeah.

MENGRONE: OK

BROWNING: Alright.

MENGRONE: As far as Ernie, like I said let him do what he's gotta do, cause a

BROWNING: Well you know we'll

MENGRONE: (Laugh)

BROWNING: You know we'll talk about it when we when I see you OK

MENGRONE: OK

BROWNING: Alright bye.

MENGRONE: Bye, bye.

END OF CONVERSATION.

THE PROSECUTOR CONTENDS THAT ON SEPTEMBER 25, 1973 AT 8:05 PM THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ALBERT ROSSI TO PETER MENGRONE

CONVERSATION: 1712 EXH 51

MENGRONE: Hello ROSSI: Hello

MENGRONE: Well

ROSSI: How you doin

MENGRONE: I give up

ROSSI: I heard your doing pretty good

MENGRONE: Yeah right

ROSSI: Heard you got a job

MENGRONE: Um hm

ROSSI: Heard your moving like a bandit

MENGRONE: What else is new

ROSSI: E s a ah that guy didn't get pinched a Bibbins

MENGRONE: It was in the paper Donald Bivins

ROSSI: Ao his name is Gene

MENGRONE: Oh wrong Bivins

ROSSI: (laughing) yeah I see n Him a I seen him an hour agot I, I couldn't believe it cause you told a what a name that I said a

MENGRONE: Yeah was in the papers Donald Bivins ROSSI: His name ain't Donald

MENGRONE: Ah well hih

ROSSI: His name is Gene and he the he don't come from Mount Vernon

MENGRONE: Well thats what I figured he didn't came from here but they caught him up here

ROSSI: He din no he comes from downtown I have a sit down with a, a this guy Gene Bibbins and the other guy you know

MENGRONE: Um hm

ROSSI: And a they got in touch with a Frank Mister L

MENGRONE: Right

ROSSI: He was in Puerto Rico and a their gonna grab him and sit him down and turn around and tell him thats he's gotta make good the thing, with the people out in Chicago because he did the wrong thing and that if he does anything else that bothers anybody else he's gonna get a he'll get hurt idd a did Errie tell vou that

MENGRONE: I haven't spoken to Ernie I called last night he was busy

ROSSI: Oh you didn't, you didn't speak to Ernie last night (inaud)

MENGRONE: No

ROSSI: (inaud) today

MENGRONE: Nope

ROSSI: Called him at Gimbel's

MENGRONE: Guy don't get there till eleven, twelve o'clock

ROSSI: Oh so what are you doing

MENGRONE: Nothing, I'm flat ass busted broke and I need

money

ROSSI: Oh really

MENGRONE: So if you wanna dip into the bag and do the

right thing you know

ROSSI: Yeah.

MENGRONE: Yeah.

ROSSI: I don't wanna dip into the bag.

MENGRONE: I said you should

ROSSI: I should

MENGRONE: Well as long as your holding (inaud)

ROSSI: The bag I don't have the bag, what makes you think I'm holding the bag

MENGRONE: (laugh)

ROSSI: A hadda ask you something else a where you

working Pete

MENGRONE: Buccheri

ROSSI: Where

MENGRONE: Buccheri Chrysler

ROSSI: Ya have the same deal there

MENGRONE: No cause I just started

ROSSI: But I mean wadda you do just sell cars

MENGRONE: Um hm

ROSSI: Your not the sales credit thing

MENGRONE: Nope

ROSSI: You can't get any more credit

MENGRONE: No I get the credit

ROSSI: Oh yeah a alright um you gonna be there

tomorrow

MENGRONE: Um hm

ROSSI: Alright, I gotta go down town tonight

I'll stop, where is it at Pete

MENGRONE: Right on Third Street

ROSSI: In where Mt. Vernon

MENGRONE: Right.

JPL:ka

ROSSI: Ars what time'll you be there

MENGRONE: From ten till around six

ROSSI: Ten to six I stop there about one, two o'clock we'll go for lunch

MENGRONE: Bring money

ROSSI: Ah stop a bag of it

MENGRONE: Ok

ROSSI: Ok

MENGRONE: Bye, bye

ROSSI: Good bye

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 25, 1973, AT 9:08 PM. X 50 THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE.

CONVERSATION: # 1714 EXH 52

CORAL JUZZO: What's up?

MENGRONE: Nothin, this is ya know, its gonna turn into a fuckin war.

CORALLUZZO: Yeah I spoke to that guy an he say's (inaud) got glombed a matter of fact,

he said he saw the guy himself.

MENGRONE: No the guy's name was Gene, I thought it was a, ya know I only remember

CORALLUZZO: Him.

MENGRONE: How he call before ya know.

CORALLUZZO: When?

MENGRONE: About fifteen minutes ago.

Yeah, well you know I was with him this week, I don't know if you know. CORALLUZZO:

MENGRONE: I'm well aware of everything, you do, want me to tell ya who your with,

etc, etc, etc.

CORALLUZZO: Yeah.

MENGRONE: Really?

CORALLUZZO: Yeah.

MENGRONE: Eh Joe Iello, gave him back two hundred boxes, settled up that you had to

on your other account, correct?

CORRALLUZZO: Yeah.

MENGRONE: Anything else you wanna know, . told you, I don't interfer with your business

whatever you do is your business ay know, I'm just interested about ya know

clearing up this.

Yeah well I hadda straighted that thin out, ya know I (not legible) to CORALLUZZO:

see him Friday, night, right?

MENGRONE: Yeah, all I know is...

CORALLUZZO: That guy from Florida, they were holding me responsible.

MENGRONE: Now this freehole here thinks he's gonna get cute now and a tell the yom that he doesn't get the money back because of what he did turning on me an

the family well let me tell ya something ok, let me know how he maken out ok.

CORALLUZZO: Alright mean while what about Frankie, I'm broke

MENGRONE: You are, you can't be any worse that I am ok, he supposed to called me today, because I'm working on something for him an my wife said he called and she told him to call me at work but I didn't get any calls so, he'll call me tonight, I haven't seen him, for sure I'll see him tomorrow and collect whatever he's picked up by now, I told him just to lay backa little too, because I didn't know what was going on, I didn't wanna get involved, so ya know I, I had him to much involved and my uncle a said just lay back a little bit, now a as I said it to Albert ya know, he's

coma to visit me tomorrow at work.

CORALLUZZO: Oh yeah.

MENGRONE: He's not a fresh head this kid, its all a game don't ya know, this

is all a big game, I hope he enjoys himself.

CORALLUZZO: It ain't no game.

MENGRONE: Ha.

CORALLUZZO: It ain't no game, how could it be a game.

MENGRONE: No its far from being a game, I am flat ass busted broke, I owe everybody an

my mother money, yaknow, I hadda borrow from shy's in order to survive' and thats bullshit, an I told him bring money ah he laughs, he's holdin onto the money, its supposed to be a beat whatever the hell it is good, at least I'm entitled to fifteen out of it, I'll turn whatever we wack up ourselves fine, then let them worry about the rest of it from him, I don't intend to come outta this a yaknow broker than when we started

right!

CORALIUZZO: So what are you gonna tell him (inaud).

MENGRONE: No he laughed, he thought it was a joke he thought I was kidding.

CORALLUZZO: There's no way a gettin in touch with Frankie, ha, I gotta (inaud)

a hundred doll, I mean eighty dollars on it.

MENGRONE: Oh I could a helped ya personally, but your friend Nicky is playing a game

with me so a

CORALIUZZO: Well hey yeah I otta talk toa you man, what happened to this (not legible)

MENGRONE: Eddie:

CORALLUZZO: Yeah.

MENGRONE: He's never called back.

CORALLUZZO: Ah man.

Ah, don't worry I'll find Eddie, I'll put Kenny onto it, Kenny knows where the dig the fuck up.

CORALLUZZO:

I'm gonna grab this guy ya know, I know when- I went down there I can do somethin very very food without nobody, myself direct with the girl.

MENGRONE:

Right.

CORALLUZZO:

An I'm talking about somethin you ain't, nobody has ever seen up here, an I seen it with my own eyes, an the guy I'm getting it from is like my brother, alrihgt.

MENGRONE:

(inaud)

CORALLUZZO:

Nothin in

or nothing, not even half.

MENGRONE:

Well don't you think I was waiting, I mean you know.

CORALLUZZO:

Well I just, I only got the final ok six thirty tonight, the guy is up Parsipnu, New Jersey.

MENGRONE:

What?

CORALLUZZO:

Couldn't say nothin before that.

MENGRONE:

Well I'll have ta tell Kenny just ta find him dig him out.

CORALLUZZO:

Now I spok to him ya know, I confronted Ricky with that thing about the the shortness and everything.

MENGRONE:

Yeah.

CORALLUZZO:

An he says Gerry made it up to him.

MENGRONE:

What ya ya mean later on, yeah well I'm trying, Oh I know that, I didn't say that, I'm sayin at the time of the ya know the actual thing, he came to me short, Gerry didn't have to make it up to you and we both know what he did, you follow me, I'm sayin thats the way he got off the ground that's why I was a little heavy with him to start with, because you were telling me that surely about you know, whenever you do select in always take out (not legible).

CORALLUZZO:

Hm.

MENGRONE:

Right, an as you said it, then it ran through my mind lenne(Inaud).

CORALLUZZO:

Yeah but take it out, I put it back.

MENGRONE:

No he didn't (Pete laughs).

CORALLUZZO:

Ya know what I mean?

No stupid, just took it out peroid ya know then he wants to do what he hadda do, cause he say's, oh I don't understand how it happened blip, now he's there right there it was you know, he's he's cut but a in other words Albert told you what he intended to do.

CORALLUZZO:

Al far as what.

MENGRONE:

Ya know, (not legible) why is Albert avoiding this down, what's the big problem, does he think he can continue to run an hide from a T.B. foreever.

CORALLUZZO:

Well how, with the as far as he knows there ain't none, according to, I mean you know a according T.B. the last night we sat with him, the only way he can be called is through me, an that was that Thursday and that Friday I went down to see em with the people from Floiordau, remember.

MENGRONE:

He wants to see Albert an the guy from Brooklyn, has nothin ta do with you.

CORALLUZZO:

Oh that guy from Brooklyn, he's gotta bring him.

MENGRONE:

Well alright, he was given the message now like I said.

CORALLUZZO:

You know that, you know (inaud) how many times is he supposed to hit it. three times.

MENGRONE:

Now what happens when they drop this bomo smell on Frank ya know, because of what he originally did to my kid, that he's out of the money.

CORALLUZZO:

(inaud) you gotta strenghtlen it (inaud) (not legible) your has on it and it backfired, you gotta get to him first, what else ya gonna do.

MENGRONE:

Do you honestly.

CORALLUZZO:

He know he's out of it ah.

MENGRONE:

Right, now whats he gonna say?

CORALLUZZO:

What's he gonna say, he's gonna say you gotta tell him, you tell him the orly way you gonna get thirty, you could have gotten results was this an it didn't work.

MENGRONE:

You forget.

CORALLUZZO:

You can not lie anymore Peter, I mean you didn't lie at all but I mean you can't poss start tellin lie's now.

MENGRONE:

Well!

CORALLUZZO:

You follow me?

MENGRONE:

You recall somethin or maybe I'm not gettin through to you a..

CORALLUZZO:

Yeah.

MENGRONE:

You were in the car.

CORALLUZZO:

Yeah.

MENGRONE:

You told him that you went upstairs and told Albert this yourself, and he wouldn't believe you an didn't give shit.

CORALLUZZO:

Yeah.

MENGRONE:

You, you reitherated three times.

CORALLUZZO:

Ok so you thought.

MENGRONE:

So now he comes back.

CORALLUZZO:

I told him to hand your hat on then.

MENGRONE:

So he comes back to you and I right.

CORALLUZZO:

No why if we did it with his best interests at hearty didn't we, what

are you kidding me.

MENGRONE:

Alright in other words ...

CORALLUZZO:

I told him in front, he ain't hearin it for the first time.

MENGRONE:

A because of this then, this kid can get away with the money.

CORALLUZZO:

I'm not sayin that Peter, but one thing is got nothin ta do with the other you don't understand what I'm sayin.

MENGRONE:

Hm.

CORALLUZZO:

I mean you tried to do somethin ta get the guy results, am I right or am I wrong.

MENGRONE:

Right.

CORALLUZZO:

Now if it didn't work, you know, and he's gonna be confronted with it, what's he gonna do, is he gonna (Not legible) for him to say, well look I know what was said, it was said, it was said in my best interest at the time because they was figured, what else could be done, I mean we know there would be no answer for this but the man said this this and this I can prove, there was two people there he said it to, night.

MENGRONE:

Well.

CORALLUZZO:

I mean ya understand, what I'm tryin to say, don't let the guy go ahead with that, then your gonna get smacked in the ass with it.

MENGRONE: Well obviously a your friend Albert spoke to these (not legible) last

last.

CORALLUZZO: Last night?

MENGRONE: Yeah, he said he wanted, he spoke to some Yoms last might.

CORALLUZZO: Oh when ?

MENGRONE An they were gonna deliver the message ta Frank, Albert is under the

impression je's keepin the money, whether or not you know it, am I right

or wrong?

CORALLUZZO: Yeah, well of course, whats all all of this for?

MENGRONE: Well, then obviously I have to make sure Tonysgets ahold a this guy in

Brooklyn, as sits him down, I don't care what Alberts doin, talkin to

the Yoms or anybody else and ...

CORALLUZZO: No you say gee, now you say, now your talkin, now your talkin two ways,

well whatta you wanna do, you, this kid comes tomorrow you gonna tell him you want part a the scope or ya gonna tell him he's gotta give it

back.

MENGRONE: Well listen a lets face up ta something ok, the way it stands now ok,

now we're talkin you and I man to man.

CORALLUZZO: Yeah.

MENGRONE: Ah you would up with how much on you own and.

CORALLUZZO: Tweleve.

MENGRONE: Ok, what I wind up with.

CORALLUZZO: Tweleve if you want as to.

MENGRONE: ok (inaud)

CORALLUZZO: Tweleve, tweleve.

MENGRONE: Just say just ay.

CORALLUZZO: Twelve if you want us ta.

MENGRONE: Ok just say twelve, Albert is now sitting with thirty, ok, I'm sitting with

gatz.

CORALLUZZO: No, no no with Kenny wound up with six.

MENGRONE: No, no, no Kenny he's responsible ta the man for, even if he has to go in

the street an work for him he's gone down and spoken to him, this was head

to head, in other words, their words, we're off the hook on that, the 6 is out of the question.

CORALLUZZO:

Yeah.

MENGRONE:

Thats Kenny sure.

CORALLUZZO:

Thats means theres still eight.

MENGRONE:

There's what?

CORALLUZZO:

That's 48 right?

MENGRONE:

Yeah go ahead.

CORALLUZZO:

Thirty and 12 is 42 and 6 is 48.

MENGRONE:

No I gave him 3 and the other 3 right?

CORALLUZZO:

Thats the whole thing though right?

MENGRONE:

Ok so in others words, as you, as you see I came out with nothin completely, you know we talk about a grand or 2 which is peamuts. Don't it make any sense? While I'm still on the hook for the whole bundle, I gotta be in super dead and like you call up, are you short money, I mean sh sh.

CORALLUZZO:

Wait a minute, wait a minute Peter:

MENGRONE:

Go ahead.

CORALLUZZO:

One thing has nothing to do with the other thing, its the final outcome, I told you what I gotta do, I'll do.

MENGRONE:

Oh, on your end I'm not worried about you I'm saying with him he's got a fresh head.

CORALLUZZO:

one thing.

MENGRONE:

He'll call up.

CORALLUZZO:

Has got nothing to do with the other I'm mean, meanwhile you know.

MENGRONE:

Did I say the wrong thing, did I say.

CORALLUZZO:

I thought, I thought I was doing the right thing you know.

MENGRONE:

Did I say the wrong thing to him?

CORALLUZZO:

One thing.

MENGRONE:

Did I say the wrong thing to him tellin him I want the money.

CORALLUZZO:

Hah

MENGRONE:

Did I say the wrong thing to him saying I want the money? I told him if thats the case that if its gonna be you know.

CORALLUZZO:

You know what I wanna know is what are you gonna do? Because I maybe I'll be there tomorrow, I ain't gonna know ah the mechanice of everything you know I may come in when he's there or your there.

MENGRONE:

Well what do you say? you, you, you callin the shots so far? I would like...

CORALLUZZO:

Its your decision.

MENGRONE:

Right, I would like very much to give this Yom something, Either the girl, be it a nephew you know a little bit of a nephew something to show good faith and say here and we can stop all the bull shit because its really gonna backfire in the long run.

CORRALLUZZO:

Well (inaud)

MENGRONE:

I'm telling.

CORALLUZZO:

You better get him there in persona and well talk some.

MENGRONE:

Because (inaud)

CORALLUZZO:

I'm talking in your place thats all, alone.

MENGRONE:

Because you...

CORALLUZZO:

I don't mean alone he comes alone.

MENGRONE:

Yeah, you and him because its you know lets face it, what happened before like you guys and the other guy you know F.M. thats one this dead buried o.k. You got a situation here that you know we may think were cute or whatever it is, a month, 2, 6 months from now this guy ain't gonna forget and he ain't gonna take it you and I both know it, its very very easy for Albert because he's hidden. You gave up where you worked and everything else your man, I did the same thing he's left us sitting out front. Does that make any sinse? That even if you figure it out yourself so you got....

CORALLUZZO:

Yeah, but no wait a second, Peter wait one second.

MENGRONE:

Go head.

CORALLUZZO:

The problem over here is, to get where I work where he works, where you work, the thing is over here, this guy knows where one thing went and he knows where the other thing went. He's I heard himself that he gave you his personal.

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MENGRONE: But thats between him and I.

CORALLUZZO: The 30 was from the people from Chicago.

MENGRONE: Right.

And thats what he was woried about thats what the the shotguns were CORALLUZZO:

for thats what he's in the woodwork for.

And Alberts answer is that the, his people are gonna tell him that MENGRONE:

he, he better go about his business an pay these people back from Chicago, because he did the wrong thing by me so forget about that

30 and Albert walks away with it, that was as if ..

CORALLUZZO: (inaud) then thats between you, I and him.

Yeah cause thats that 20 minutes ago. MENGRONE:

CORALLUZZO: Huh.

MENGRONE: That was as of 20 minutes ago, and he keep asking me if I had spoken

to you and I said no I called last night but you were busy.

CORALLUZZO: You could tell him you speak to me.

MENGRONE: Oh I hadn't I only spoke to you last night, where did I speak to you.

2 minutes cause I had somebody else on the wire. CORALLUZZO:

MENGRONE: Right.

CORALLUZZO: Had Susan on the wire.

MENGRONE: Right so long story short so I says you.

CORALLUZZO: I aint got no money, I need it to get laid.

MENGRONE: Huh.

CORALLUZZO: I ain't got no money, I need it to get laid.

Thats the only move to take, I can't even do that (inaud). MENGRONE:

CORALLUZZO: What time is he supposed to see you tomorrow?

MENGRONE: Ah he said aroung 1-2 O'clock. I just as well blow this job like you know, he says hey, everything going real good, I'm gonna, I'illay it on the line

te you ok, show you how good thing are going, my wife don't even know

this ok, I took the job, no.

CORALLUZZO: Without any salary.

Without nothin, not even...

CORALLUZZO:

(inaud) car

MENGRONE:

Not even a car, in other words they couldn't even give me a car, he loaned me a car tonight to come home with, I don't even fit in it, its a station wagon, so its like, you sell your soul just to you know, put some type of a front no desk, I was using somebody else's desk I mean you know.

CORALLUZZO:

Yeah.

MENGRONE:

And like I, he's goin to me you know the money I owe here, there, you know, lets face it, I left a little bit behind, put this kid ah destroyed my mind tonight and the other on you know, no matter what we say between you and I its getting madder and madder.

CORALLUZZO:

Who?

MENGEONE:

Tony, as far as he's concerned.

CORALLUZZO:

At me?

MENGRONE:

Not you, it has nothing to do with you.

CORALLUZZO:

Oh.

MENGRONE:

That he was asked for.

CORALLUZZO:

Yeah, well he can't hold anything (inaud) whats right is right, an what wrong is wrong Peter. He can not get mad at this kid because if he's who he is on his brother who is he is and they ask these people from Brooklyn to produce this kid. I mean it's up to them he ain't even supposed to send a message to Al. He supposed to tell this guy hey, I want you here and I want the kid with you.

MENGRONE:

Hell it seems that you know, the stories that involve, like he keeps telling this guy in Brooklyn that everything was resolved, that he personally had met with these people he had met with me you know the stuff that Tony comes back with, I wish I could make a recording of it, cause you'd see your pants its its so unreal you know, he had spoken to everybody until we found out that Frankie

CORALLUZZO:

(inaud) you wanna know something what I found out this guy is not sittin for Al he's sittin for Jimmy.

MENGRONE:

Well where did Jimmy come into the picture?

CORALLUZZO:

You got me it's a good question.

MENGRONE:

Sh sh well you gonna sit down tomorrow and just talk, now when I talked to this kid I talked to him very honestly if you think your walk away with

the money forget, I mean I look at it this way even if I took half of it and I can manipulate it and pick up a couple of items you know and turn em over ta the guy fine, as far as getting the rest back from Albert, I dont even have to go after him. That's been taken care of on it's own, but the point is I don't wanna be left (inaud) with nothin. Where the hell does he come off he's gonna walk away with thirty grand? Even you in your wildest dreams your gonna let him do that?

CORALLUZZO:

No. I ain't.

MENGRONE:

(inaud) His, his whole excuse and this is all he tells anybody is you were doing it just, so he felt he was entitled to the 30. But that's none of his business the other words what you intended to do are 2 different things, you follow me?

CORALLUZZO:

Hm hm.

MENGRONE:

There is no such thing as Albert is entitled to 30 thousand because you thought you might wanna beat me because I had fucked you up.

CORALLUZZO:

Yeah.

MENGRONE:

If you understand what I'm saying? So this is what he goes around telling everybody. See, you, you seem to forget one thing, nobody brought your father into this except that freehole. He can be your friend, he can be your buddy, but he threw you father's name a, over the place. O.K. he insist on your father at the sit down you know; everything that Tony said when he sitting down there right. Tony backed off for one reason, I had said to him your father doesn't belong to this, cause it's not his affair and because of what It deals with. You follow me? (otherwise when Albert had said that originally what it have been? 2 minutes in order to put the word out that they wanted to see him, and then where did he go from there? We got a total fuckin circus. How rational can this kid be? If he's spilling everything to everybody about you, your father, and me, you know what I mean? How you stop to think for two seconds, it may be a game, but ah this kid went too far. and he made statements to the effect that ah you think your safe and sound where you line, but he'll make sure everybody knows where your at.

CORALLUZZO:

Who?

MENGRONE:

Albert/

CORALLUZZO:

Where who is?

MENGRONE:

You o.k.

CORALLUZZO:

(inaud) Everybody knows where I line.

MENGRONE:

No, he was gonna make sure just in case the yoms didn't know. You see this is, this is the shit that I didn't say cause I didn't want to start a total war. But again it was not your affair, in fact I'm sorry in a way

that you had to mentioned to the other one, you know that your out at Gimbels. Because you know lets look at it this way, What ever went on before the beat between you and I had been resolved and you went to beat for me., and I'm not putting you, Anitia or the kids, anybody and you know the jackpot and yet the freehole was so you know intent on keeping 30 grand he didn't give a fuck if he sold you out in 2 seconds. wasn't the statement made that everything cames out in the wash?

CORALLUZZO:

Well you know, everything comes out on the table, everything will come out yeah, yeah, that's the statement that was made.

MENGRONE.

Yeah, and that ah, he will do a number on you right? We didn't do the right thing no matter how you slice it. As far as I'm concerned I'm in too much trouble now to let the fuck get away with it? I mean you know, want to go over and talk him, it's all a big joke fine. I don't like being out in a no position I can't (not legible) forget anything, no car, no income no nothin.

CORALLUZZO:

Well you see, now you doin the same thing all over again Peter, your gonna drive me out of my fuckin mind. What are your intentions?

MENGRONE:

I'm asking you, like you say it's my decision.

CORALLUZZO:

How you wanna resolve it? In other words, if this here (inaud) tommorow he gives it to you then it could stay a beat then you won't give him up, then you, then everything he dealt with wise guys and everything.

MENGRONE:

No. I can't do it.

CORRALLUZZO:

Well that's what you just through saying Peter (inaud).

MENGRONE:

No I'm just saying to you that's what the result of that, I'm not saying. let me tell you something. Ok you said it to me before. I may be stupid I mean ah-

CORALLUZZO:

I mean either you gonna go one way or the other, or you tell me well look.

MENGRONE:

Ernie.

CORALLUZZO:

If he does that I'll go the other way.

MENGRONE:

Ernie, I'm a 100% honorable I can't change that, I've lived my whole life this way, I'm Hickey House, I fucken manipulate thats me, thats all small time shit, I cannot in good conscience beat this fucken yom because this guy did nothing wrong, he did nothin except give us a chance to earn some good money, right or wrong?

CORALLUZZO:

Well.

MENGRONE:

You knew the figures, you know how much we're earning, even if it was said 33, we were hitting hi for 45 you know, you don't take a guy like this,

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especially when I'm on the hook, and then do a number and sit back, where where does Albert fit into the picture? If you and I had decided to do it right?

CORALLUZZO:

Yeah.

MENGRONE:

It would have been done very different, would you and I come to the front and let the guy know everthing about us, you follow me. In other words he snuck in the back door and he snuck, he came in that way and he's laughing he says you know, lets so the 2 of them get out of it, then as the as soon as you got into the picture, where you know you were taking my part then it was fuck you bring your father into it, and put you in the box too. Now can, I after what this kid did for 3 weeks, hey let me tell you, I would love to ok, If it had been this way from the begining, we would have worked up say 50 grand between us, that ain't a bad score you follow me.

CORALLUZZO:

Yeah.

MENGRONE:

It didn't start out that way, I've gone to Tony, put my cards on the table fine, I went to the fella today, gave him the whole story, fine.

CORALLUZZO:

What fella?

MENGRONE:

Huh- Buster.

CORALLUZZO:

Buster!

MENGRONE:

I, told you I had to go see him--

CORALLUZZO:

And I'm involved?

MENGRONE:

No- I did not mention your name, on my kids believerme, all I all I discussed with him was a head to head, that the money was given to the kid, and want into the woodwork with it, and that I .

CORALLUZZO:

Yeah- but you had to tell him about the, about the other 26.

MENGRONE:

I told him that the money was given to me and I had it, why do you keep saying 26? You keep throwing that figure around?

CORRALLUZZO:

Because thats figure that come up, alright so its 20, whatever it is, 18, whatever it is.

MENGRONE:

Always, always understand one thing.

CORALLUZZO:

Well, I'm telling you this, I told you the last time with T.B. you gotta tell there people everthing so (inaud) you didn't tell them everything?

MENGRONE:

Listen- listen to something.

CORALLUZZO:

Or you did.

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- 4

Listen to me just once— The money that was given to Kenny, I wasn't even in New York at the time, and this Yom was ossified ok, he admits it later on he says, if I was sober I would never have given the kid the money, so thats why you know, he hasn't really assured you for the 6, you understand what I'm saying?

CORALLUZZO:

Yeah.

MENGRONE:

I have one other out always keep that in mind, I can look this guy right face and say if I was gonna beat you, wouldn't I have beat you for the original 50 grand? Remember the mew money he gave me, that I gave back, then he gave it to me, then I gave it back?

CORALLUZZO:

Yeah, Yeah.

MENGRONE:

Right I mean you know, all he has to do is stop and think right? You know.

CORALLUZZO:

Alright I'll see you tommorrow, I'll see you whats Buster supposed to do now?

MENGRONE:

Nothin- in the words, how, how I says it to you, I get to the point, where if Tony can't do what he has to do, All I want this kid to do is give the fucken money back, ok I'll pull something from T.B. work it so I can make up the difference and say like what you and I have and give to earn something.

CORALLUZZO:

(inaud) Fucken things I wanna do is stop involving wise-guys, I told you about him, and now your involving more wise-guys. I don't understand this, you ain't gonna get nothin from these guys, don't you understand, when its over and everything else.

MENGRONE:

Well can I?

CORALLUZZO:

I don't know why want to this guy.

MENGRONE:

Do you know why I'll tell you why, because when I'm told you know, just to go ahead out, don't worry about nothin, the abouts off and I got a phone call from the guys thats.

CORALLUZZO:

Yeah, but these people aren't gonna help you, you, I wish you just would listen to me, who knows it better then me, you, after all, can't get burnt over here because who my old man is, I'll never be given wrong, but I don't wanna involve him, I know this--

MENGRONE:

Well

CORALLUZZO:

I know it is.

MENGRONE:

Have I tried to involve your father, the last thing!

It's just like ya- I'm, I'm, you know its just any, there all uncles, CORALLUZZO:

then all my uncles, whether they like it or they don't like it.

MENGRONE: Yeah, from the beginning when I even spoke to Tony.

Ah, look I got a headache, let me call let me see you tomorrow, I'll CORALLUZZO:

be in there tomorrow.

MENGRONE: Just, just listen for two seconds before you, you get your headache

back.!

I can't Pete I gotta go, I got somebody waitin outside already 5 minutes. CORALLUZZO:

MENGRONE: Ok, understand one thing I said to you.

CORALLUZZO: You gonna be out later?

I'm home if you wanna give me a ring, or come by the house come by. MENGRONE:

CORALLUZZO: Alright.

MENGRONE: Where am I gonna go, I'm fucken wrecked, ok if I get ahold of Frankie

boy, if I got some money Nicky starts work tomorrow night.

CORALLUZZO: I don't know where?

MENGRONE: In that bar.

CORALLUZZO: Four winds?

MENGRONE: No the last stop whatever it is.

The last laff. CORALLUZZO:

MENGRONE: The last stop

CORALLUZZO: The last stop.

MENGRONE: The one across from the car wash on Boston Post Rd.

CORALLUZZO: Oh yeah, yeah, yeah.

MENGRONE: Yeah he starts tomorrow night.

CORALLUZZO: Alright.

MENGRONE: Look relax, nobody do nothing, I'll wait for you tomorrow, you tell me

what to do.

CORALLUZZO: Ok.

MENGRONE: I don't thin, I don't think really that you can let this kid walk away

not as far as I'm concerned, you know, I'll get out of debt myself but

I'll talk to you tomorrow.

CORALLUZZO:

Hm Hm.

MENGRONE:

Ву, Ву.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 29, 1973 AT 10:45 PM THERE WAS AN INCOMING CALL TO 914-668-0946 FROM ERNEST CORALLUZZO TO PETER MENGRONE.

CONVERSATION: # 1872 EXH 53

FIRST PART OF CONVERSATION WAS NON-PERTUNENT WITH CHILD.

MENGRONE:

Yea, Hello?

CORALLUZZO:

Hello.

MENGRONE:

What you doin?

CORALLUZZO:

What you doin?

MENGRONE:

Home.

CORALLUZZO:

Sleeping?

MENGRONE:

No, I was watching television with my son.

CORALLUZZO:

You going out.

MENGRONE:

No, what you want me to do, walk?

CORALLUZZO:

You got no car?

MENGRONE:

No, I got the car I told you, the wagon they gave me, I don't fit in it.

CORALLUZZO:

I spoke to Vinny today.

MENGRONE:

Yes.

CORALLUZZO:

He gave me a number- I asked him if he was gonna sell the car.

"Next part non-pertinent talk about the car."

MENGRONE:

Freehole said he was gonna come up.

CORALLUZZO:

I'm up the Venetyia- I'm just ordering Mozzerella (inaudible) I called earlier- it was busy about 5:30 or so that was last night, I haven't

slept in three days ...

MENGRONE:

What's going on anything in particular?

CORALLUZZO:

Hah.

MENGRONE:

Who you with.

CORALLUZZO:

I'm with my wife and this kid Mike that I was best man for, Jewish kid, about a year ago, he removed to Columbus, he married a farm girl up there, I've been with Al, I've been with him yesterday and today.

MENGRONE:

Is he gonna do the right thing, wrong then, fill me in.

CORALLUZZO: Well I don't know Pete, I think we should get together -ah- there is

something else on the fire too but I gotta talk to you alone first.

Well, the other guy went to South Carolina (inaudible) him man. MENGRONE:

CORALLUZZO: Who's man?

MENGRONE: You know his man, that guy Danny.

CORALLUZZO: Yea.

MENGRONE: Yea- and they're suppose to be reaching to tell him to come back where

you know- I guess when I see you, I can't talk to you.

Well you're not working tomorrow are you? CORALLUZZO':

MENGRONE: No, I'll be home- where am I gonna go.

CORALLUZZO: Ha.

MENGRONE: Where am I gonna go, I'm home, I got the kid working on something

else which if I could pull it off, O'k we can do something you know.

Alright listen, I'm gonna come out early tomorrow- I'm gonna get some sleep CORALLUZZO:

tonight, I got my kid at my in-laws in Yonkers. I'll call you when I

get there- probably around noontime .

MENGRONE: I'll be here, where am I'm going to go.

CORALLUZZO: Reach out for Frankie- really.

MENGRONE: Oh.

CORALLUZZO: Well you know, there is two or three over there for you too.

MENGRONE: Don't you think I know this.

CORALLUZZO: You don't always do the right thing you know.

MENGRONE: I figure if I can get it off him then I know damn well, I say look, I

need two or three to take care of it but ah. I can't pin him right now

because

Who's driving a car just like mine, a Mark IV- my wife wants to know about CORALLUZZO:

a week ago in the neighborhood?

MENGRONE: He= she crazy.

CORALLUZZO: I told her it wasn't you- she says you have a twin brother.

MENGRONE: No the day she followed me.

CORALLUZZO: Yea.

The day she followed me, I was in the town and country wagon- the green wagon.

CORALLUZZO:

Nah- she don't remember that.

MENGRONE:

That's the one I couldn't get into, then gave me that one, I blew it.out anyway.

CORALLUZZO:

No she said in a Mark like mine.

MENGRONE:

She had to see the other guy.

CORALLUZZO:

Hey listen.

MENGRONE:

You know who I'm talking about.

CORALLUZZO:

Hey listen to this.

MENGRONE:

Go ahead.

CORALLUZZO:

You heard what happened last night.

MENGRONE:

I was wondering who?

CORALLUZZO:

Hah.

MENGRONE:

Who? I came up Boston Road, I thought I spotted Alberts car- and I was gonna swing around and go back to the Hi-Hat and I said fuck it and went home, you know..

CORALLUZZO:

-No- you heard what happened.

MENGRONE:

Yeah.

CORALLUZZO:

Oh my God.

MENGRONE:

Who was it, do we know?

CORALLUZZO:

George Rossellini ...

MENGRONE:

Right.

CORALLUZZO:

Got shot?

MENGRONE:

right.'

CORALLUZZO:

Two agents got shot.

MENGRONE:

Right.

CORALLUZZO:

Ah...this Irish crew- they're crazy they went in there three times this week to start trouble- for no reason. They say they want to kill GAMBINO- they

CORALLUZZO: want to kill Gribbs, they don't care. They went in there one night,

they terriorised the place. They cut Carmines two ears off.

MENGRONE: They cut his ears off?

CORALLUZZO: Yea.

MENGRONE: The old guy Carmine?

CORALLUZZO: Yea.

MENGRONE: And nobody did nothing about it.

CORALLUZZO: They were cut short. You understand?

MENGRONE: Right, Right.

CORALLUZZO: Cochise was there, he had a two shotter- he pulled it out and grabbed

the one of them and three of them pulled out .45's and pulled them on other people. He says you win, they broke his ass he escaped. The next night, they're preparing themselves, these guys come back, you tell him you don't have to look for us, we're here. Its an Irish crew alright.

MENGRONE: Right.

CORALLUZZO: So the other night, I guess they were waiting for them and everything

happened I don't know.

MENGRONE: A customs agent, a regular agent, everything.

CORALLUZZO: Yea, I wonder what they were doing in there, thats what I want to know.

MENGRONE: Yea well I wonder why.

CORALLUZZO: Let me call you tomorrow- airight..

MENGRONE: Go eat Mozzarella.

CORALLUZZO: Alright - Reach for Frank.

MENGRONE: I'll do it- Bye- Bye.

END OF CONVERSATION.

THE PROSECUTION CONTENDS THAT

ON OCTOBER 8, 1973 AT

THERE WAS AN OUTGOING OLL TO 212-798-7506 FROM PETER MENGRONE

TO LOUIS GUERRA

Conversation: #2201

EXH 54

GUERRA:

Hello.

MENGRONE:

This is a recording.

GUERRA:

Yeah - How are ya?

MENGRONE:

Leave your name and rank and serial number.

GUERRA:

What's the good word?

MENGRONE:

Nothing. I was wondering on your end if uh anything

can be done.

CUERRA:

Uh - Nothing yet. I've been talking to people but everybody seems to be frightened around here and I haven't been in touch with their people from Vegas. I been trying to reach them. New York seems to be

getting uh - paranoid.

MENGRONE:

I can't figure it out.

GUERRA:

Yeah. Well - uh - figure a lot of people are going

away (inaud.).

MENGRONE:

Yeah.

GUERRA:

It really sucks. And - uh - I got your number and I put a couple of fellers out but it's like - uh -I'm not pushing.

MENGRONE:

Yeah - no don't because when, when you push or chase you wind up in trouble.

GUERRA:

Yeah.

MENGRONE:

Yeah.

GUERRA:

How's everything with you? How's your family?

(REMAINDER OF CONVERSATION NON-PERT)

THE PROSECUTION CONTENDS THAT ON OCTOBER 18, 1973 AT 2:06 PM
THERE WAS AN INCOMING CALL TO 914-668-0946 FROM GERALD RUBIN TO PETER MENGRONE

Conversation: 2514 EXH 55

MENGRONE: Hello.

RUBIN : Hello.

MENGRONE: Yes.

RUBIN : Yeah, Pete.

MENGRONE: Yeah, who'd ya expect?

RUBIN : Huh?

MENGRONE: Who'd ya expect.

RUBIN : Ah, what's up?

MENGRONE: Huh, what's up, well if you tell me who it is I'll tell you who I am.

RUBIN : Gerry.

MENGRONE: Oh, how you doin, I just got off the phone with Nicky.

RUBIN : Just now.

MENGRONE: Yeah.

RUBIN : Oh I didn't know.

MENGRONE: Yeah, yeah, told him I'd go out tonight I mean, you know make a fool out of me last night like ah, what the fuck ah... I spent four hours last night like peddlin like a fuckin chump, I come up empty thats ah, then he tells me you know that somethin can be done (inaudible) what the fuck I look like like a idiot .. so I told him I go out tonight, I gotta meet these guys at 9 o'clock, let me try again. So how have you been doin otherwise - anything?

RUBIN : Yeah, alright is it gonna be ready for 9 o'clock.

MENGRONE: I'm meeting nine o'clock to sit and talk to them again otherwise like ya know, last night just ah, ha a waste of everybody's time I gotta go there - I gotta go over to ah Inkies to talk to him I got ya know good shots, I'll, I'll try to line things up I won't do nothin til tomorrow I wantta do during the day I'm gonna stop workin for a week or so and just ya know devote my time to this cause I can't be in eight places at once I got home last night like 4 o'clock in the mornin an I an I couldn't even go ta work I said fuck it... ya know.

RUBIN : I mean ya know (inaudible) I don't know if its you or him he told me everything ready for today.

MENGRONE: Ah, I had said nothin in the car I said first of all two of the guys I can bet get to them until tonight you follow what I'm saying.

RUBIN : Yeah.

MENGRONE: Both the colored guys are not available until the evening and the other one I'm gonna go to meet at my place at 11 o'clock tonight so I told him ya know whatever I can set up I'll set up for Friday and we'll just go from there I'll take off the rest of the week. Then we just do what we have to do ya know a step at a time ... There's no sense in me trying to work and do the same thing ya know. I told him I'll just take off from work and we'll just work this ... he hung up the phone 10 minutes ago, 2 o'clock he called, its the first time.

RUBIN : What happened, what happened with what with - what was brought that little thing.

MENGRONE: Ah, price was outrageous number 1...

RUBIN : Yeah.

MENGRONE: And ah he told me to tell em it was a good four... it was no where near it. I mean ah, like he just throw numbers an nines around ya know. An a he told me I had to add on top of the four for myself I said what are you crazy I mean, thats absurd. So he says then well I'll give you a hundred or two out of my end.

RUBIN : And the guy said he would have paid 32.

MENGRONE: Yeah, the guy says thirty-two, thirty-three, ya know we could do business, but I mean 4 thousand are you crazy.

RUBIN : Is - is would he still take it.

MENGRONE: I'm gonna try tonight thats why I'm gonna see him tonight.

RUBIN : What time are you seeing him.

MENGRONE: At nine o'clock.

RUBIN : Alright, he's calling you at nine?

MENGRONE: Who's.

RUBIN : Where, where's Nicky gettin in touch with ya?

MENGRONE: I will get in touch with Nicky. He's gonna be home, he ain't goin

anyplace.

RUBIN : Alright, so you'll call him at nine ..

1

MENGRONE: Yeah.

RUBIN : OK.

MENGRONE: This way we know what the hell we're doin. I mean if you had said somethin last night Gerry, ya know I mean.

RUBIN : Yeah.

MENGRONE: Give me a chance when I go out I'm out peddlin in door to door with ah with ah a outrageous figure and it wasn't what it was supposed to be.

RUBIN : You call him at nine and ah an everythin is all ready.

MENGRONE: OK.

RUBIN : Alright.

MENGRONE: I'11 get to him.

RUBIN : OK.

MENGRONE: Bye, bye.

RUBIN : Good-bye.

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 7, 1973 AT 2:56 P.M. THERE WAS AN OUTGOING CALL TO 212-367-7262 FROM ALBERT ROSSI TO JAMES CAPOTORTO

Conversation: 750 EXH 56

CAPOTORTO Hello Little shock.

ROSSI Hello shocky.

CAPOTORTO Yeah.

ROSSI Where's the big guy?

CAPOTORTO Who?

ROSSI JIMMY.

CAPOTORTO A he's over here, hold on.

ROSSI Put, put him on.

CAPOTORTO Hello

ROSSI Hello

CAPOTORTO Yeah I called him up.

ROSSI What happened?

CAPOTORTO They don't wanna know nothing, bring it

back.

ROSSI 0, my god, no don't tell me that Jimmy.

CAPOTORTO I'm serious.

ROSSI Don; t tell me that, I'm at Peters house right

now, don't tell me that.

CAPORTORTO They don't wanna know nothing they bring

it back, they wanna see you immediately.

ROSSI Oh my god.

CAPORTORTO (inaudible) there's only two over here,

they wanna, they wanna give me, they told me go ahead park the car and they'd

pick it up.

ROSSI Oh, my god in heaven.

CAPOTORTO (inaudible)

ROSSI Alright go do what you gotta do.

CAPOTORTO Or what need be.

ROSSI They just sit there, sit there, if they

keep on calling just sit there, go do what

the hell you're doing, *I'm gonna call

Pirt MAND L him up right now, OK?

CAPOTORTO I'll tell the rest of the stuff that you.

ROSSI Just.

CAPOTORTO In other words.

ROSSI They got, they only gave me 1 1/2 of pure,

1/2 for cut, they got the rest. Do you

understand?

CAPOTORTO (inaudible)

ROSSI They got the rest in a car, you understand

what I am trying to say.

CAPOTORTO Ah I understand.

JL:jp

ROSSI In other words, give that back to them.

I don't have all of it.

They're sittin' with the main lot of it

in the car.

CAPOTORTO In other words what I gotta deliver

(inaudible)

ROSSI Just bring it there and leave it there

and I'll handle everything over here.

CAPOTORTO At what time (inaudible)

END OF CONVERSATION

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 10, 1973 AT 1:02 A.M. THERE WAS AN OUTGOING CALL TO 212-798-7506 FROM PETER MENGRONE.

Conversation #885

EXH 57

GUERRA:

Hello

MENGRONE:

Yea

GUERRA:

Yea

MENGRONE:

Oh my wife just got a call.

GUERRA:

Yea

MENGRONE:

Sounded like a white guy she said, when she asked to identify himself he said it's a friend. She said I wasn't home you know.

GUERRA:

I got got Charlie on the other line he said there was a note on Al's father door said Malroc's dead and a piece of George's hair is inside. Who's George?

MENGRONE:

George?

GUERRA:

Yea, I got scared. I was ready to call you. Hold on a minute, hold on Pete.

MENGRONE:

Yea

GUERRA:

What happened now, somebody called and said a friend and said what?

MENGRONE:

Nothing. I figured its the yam having somebody call - because you know oh there (IN AUD)

GUERRA:

You don't know who George is do you?

Nobody at all, never heard of him.

GUERRA:

Alright - Charlie say Al will be able to pull tomorrow, I don't know why he hasn't

called you because of the week-end but he'll be able to pull something tomorrow

and oh

MENGRONE:

Stupped

GUERRA'

Wait a minute hold on

MENGRONE:

Anna ask Charlie a stuped question.

GUERRA:

Yea

MENGRONE:

Why dosen't Charlie just pick up the money from Albert and we go down show the yam and tell him we do it in the morning this way we can all go to clean otherwise I got to

sit here and have a gun right!

GUERRA:

Wait a minute, wait a minute I ea he's been grying to call Albert because he got this note he found a note posted on Al's

father's door.

MENGRONE:

What did the note say?

GUERRA:

Malcioc'o give him the evil eye - the evil eye on you and George's. See inside he opened up a NAPFIN there was a swatch of hair somebody hair inside the knapin I got scared, that's why I called on the phone getting ready to give you a call, you called I said Oh shit don't tell me I didn't want to hear it from you.

MENGRONE:

I got so sweat I don't even know I wouldn't even call up and asked at the club if if they had to many there you know they give up

vbodsmos

GUERRA: Who do you know you know any George

Maybe might even be somebody might be even some of the old Ginnies in the neighborhood doing somethin. Al's father might have

nothing to do with this at all but

MENGRONE: Probobly doesn't explain something you got

Charlie on the phone.

GUERRA: No he just hung up he's gotta go home

He don't know where Al is right now he tried to reach Al first because he wanted to tell Al about this thing on his father's

door.

MENGRONE: Do this though OK remember what I said to

you its important if we can produce the

"Key"

GUERRA: Right the money he says is intact the key will

be tomorrow.

MENGRONE: Listen We take the 1/2 I told you you want it.

GUERRA: I know I'm not worried about once we get

that we're gonna make money it start to rool right I know that I know it Al knows it but Al is so worried about Ernie getting

away with that money.

MENGRONE: Well let me tell you something you think

I'm foolish enough to let him get away

with it.

GUERRA: I hope not. I don't know you that well.

MENGRONE: Let me ask you a question. Do youknow

what the answer to (INAUD)

GUERRA: But I don't care to tell the truth.

I don't even care of Ernie gets away with

that money now because I'll catch up to

Ernie myself one day and

· · ·

(INAUD) Something will start between me and him, they won't even know what's it about.

MENGRONE:

Well what this kid has done is it like an obsession put my kids in the jackpot and I don't respect him for that. I respect you for helping me Bobby

GUERRA:

I'm not even helping you Pete. I'm trying to but I haven't been able to do a fucken thing for you. I'm sick about it. I don't done nothing for you. Don't ever say I helped you because that crazy. I could help you. If I had \$30,000 that would be helping you.

MENGRONE:

The point is this kid, in good faith be take it don't worry we're in business fine and oh even like you said the move I told him with the spic--he's supposed to have had that before he had it a week ago. We could have given this guy, we make a quick \$1,1000 on the guy, what's the problem.

GUERRA:

I don't know I

MENGRONE:

They keep calling the house. They keep working up the kids & my wife is getting totally you know.

GUERRA:

Ah I know - but it would happened with (INAUD)

MENGRONE:

You know the worst part OK I'm sure you don't know it, do you know my father is a N.Y.C. detective.

GUERRA:

Your father is a N.Y.C. Detective.

MENGRONE:

OK

GUERRA:

OK

MENGRONE: Aint this fucken wild OK

GUERRA: Your uncle's on one end and your father's

on the other end.

MENGRONE: Yea and I went with the uncles. OK

This good fella that come here today you

know since I was a kid he knows me.

GUERRA: Yea

MENGRONE: He says how do you let things this happen

I say I know the kid he honerable he wouldn't hurt me he wouldn't do nothing to harm me he says OK let me help you what do you think

these people are saying about me know.

GUERRA: They think you supied they think you've

been had.

MENGRONE: OK now what am I supposed to do and I

can't open my mouth because Albert says
don't mention nothing to Earl otherwise
we both get killed that's wonderful your
don't think my uncle don't wanna know
who's going to turn around and get a hold
of the old man. I'll try to get this done
before anybody does anything and this way
we can say hey fellows understand whats

the big deal.

GUERRA: I can't understand why Al hasn't come by

ah Charlie says its definitely gonna be able to---Charlie says Al's says and Jimmy says everboby says Pete I don't know what

to tell you.

MENGRONE: Bobby bobby Gouch wants to get a hold of

you, says he's got an idea if his own that

he can get something that we can try holding

GUERRA: Bobby Gouch day dreams. We're gonna get it

when we have no money. Al's got the money where's Bobby you Bobby Groch is

MENGRONE:

He's trying to help too you he owes us he owes us.

GUERRA:

I know he's pissed off with this too he's sitting around waiting for someone to get in touch with him they only time Al calls Bobby is when somebody got to get beat up or something and the only time he calls me is when he's i trouble and he wants someboby to talk and front for him so he doesn't have to show up I know the I only know Al's few months but this is what happens.

MENGRONE:

Yet everything he asks the other night he says will the yam you go downtown.

GUERRA:

Right

MENGRONE:

Willing to do

GUERRA:

Yea then he decides he has to oversleep I know this is a rediculious thing

MENGRONE:

He says make the guy bring the money he brings the money what do you think this guy a fool now all he knows is he asked me to see the money which he's cone 15 other times and I've always had it in the car or right under my desk.

GUERRA:

Yea

MENGRONE:

Here it is he asked me today and knew I didn't have it no matter what bullshit I gave him he says your not lieing to me are you why I'm goint to lie about he says you always have the money before why not now and what do you say? He says is you've been ripped off tell me we'll go out and get it back I says its not necessary this is how paranoid he got then when we got to the

point where after a million promises were broken like you. kncw 12 o'clock today that they said lay off honorable we'll take one of your kids or somebody to sit with us I said that's nice to hear will let me go. Well I get for ya

GUERRA:

Go ahead.

MENGRONE:

They'll be here tomorrow quarantace and oh if I don't hear nothing in the morning and they come here you may think I'm totally out I'll just call the fucken headquarters and get them pulled in either that or I'll wack them right outside and then it gets out of hand conyletty then its a lost Christmas then the guy's brother who's in the streets is definity gonna come back and oh now it really gets out of proporition

GUERRA:

Alright don't

MENGRONE:

I just don't wanna be left to be sitting down because that's what I am right now I don't think its fair.

GUERRA:

If you can last till morning it will probably be alright. I'll try and call Al at the motel, yea.

MENGRONE:

We went into this together didn't we there were 4 or 5 of us we were going to do the right thing.

GUERRA:

Yea

MENGRONE:

Will I'm the I'm the target since when

GUERRA:

I can tell you be get the blame for that

be an keep on mentioning it.

MENGRONE:

I'll handle it myself. I'll hurt this kid.

GUERRA:

That mother Fucker

MENGRONE:

I hurt him but I got to do it my way again You trying to do two things I stopped the whole they right in the middle went to his father tonight say they your son caused me a lot of fucken problem bring my uncle bring little Tony up there and say he's straighten this fucken out. Now what have we got. We got no deal no nothing and you got total problems. So I'm sitting back I'm bitting my fucken hands I want to take a shotgun and blow them out of the fucken house OK so what an I gonna do I sit back and hope that Albert can rectify the situation. We clear up our end so that we're moving nicely there and then I go after the other guy but nobodies giving me a chance to

GUERRA:

I agree with that. I agree with tha.

MENGRONE:

He wanted we to go off half cocked the other day and we talked him out of it right.

GUERRA:

Yea

MENGRONE:

We go to Gimble we do this is was no lets make sure we don't lose what we got going because he wants to sit there and be cute. He'll never beat me for that money you better let on your kids and everyboby you know that money is coming back from Ernie - OK* because I got that kind of strength and you better believe that oh but as far as I got one thing interfere with the other but obviously Albert left me hanging and I don't buy it I don't buy it a all because this kid if nothing else should have picked up the phone and said look I can't see you tonight.

GUERRA:

Where is he I don't understand (INAUD) why he's doing all these things why he can't

be good whats he got against talking to people will, wait a minute, I'm going to try Al at his motel.

MENGRONE: Ernie keeps telling him get rid of the big

guy and he's starting with Ernie over that

guy. All shit that's unimportant.

GUERRA: I don't understand it.

MENGRONE: He gets all excited because Ernie said that

Al would beat me. Well this is what Ernic said. I repeated it verbatim then he carries on why did he we think for a minute Ernic

wouldn't who we kidding.

GUERRA: Yea you mean 214. It'll be a miracle if

their there though. Louie's not home.

GUERRA: P G's not at the motel, just spoke to Charlie,

you just spoke to Bobby right.

MENGRONE: Right.

GUERRA: I don't know where the hell to reach them

now. See there's no answer there either. I got phone calls from everyboby tonight

but then.

MENGRONE: Well I don't know who was at the house.

I'm hoping that they didn't start something

my uncle had said you know what I mean

GUERRA: You don't know who George is?

MENGRONE: No that's just what I would need if they

had sent somebody to talk and they snatched

him.

GUERRA: Do the shines know where Albert house is?

MENGRONE: I would tell you the only way they would

know if this guy was second under Frankie

54 265

Matthews and I'm sure they knew from the lost time.

GUERRA:

Yeas but who the fuck is George and Charlie got a note with a lock of hair in it, the evil eye is with you. Malurco on you or something like that.

MENGRONE:

That means the horns are on you.

GUERRA:

Yeah, it might just be some old guinea in the neighborhood.

MENGRONE:

Oh thats just what we need somebody putting the horns on us too.

GUERRA:

I wish I could come there and sit with you and make things better but I don't know whats thats gonn do

MENGRONE:

It won't do anything, I'm saying to myself you know because you try to do the right thing and it has to turn out wrong, I can't figure it out, even to the point where I said to you in the car, when we were talking about it "You know if you want to put the profits in we could do this thing with er Louie, "I said why not we are in this thing together, er er I didn't even hisitate, I mean you know.

GUERRA:

Yea

MENGRONE:

What the fuck he knows white we are trying to do and or he knows I got this guy on the line we could take care of California everything as long as this guy was pacified.

GUERRA:

I don't (INAUD) think there is a California any more, I tried to reach the guy a couple of times (inaud)

(Inaud) I'm going have of go some to prove to this shine, I gotta come up with one hell a story (Inaud) whether I got snatched or I got pinched I'll figure out something because I always showed up, but tonite I just knew if I showed up alone that's it nobody see's me again.

GUERRA!

I gotta er, he gotta go on past performances he gotta know that your not looking to beat him, where you gonna go, where you gonna go where you gonna go er you looking to beat him, mmmm that's it he don't think your beating him he thinks you got beat

MENGRONE:

Right, exactly and he wants to see Albert and I won't give Albert up, (unaud) I'm brave aint I, I gotta put my kids on the line and Albert don't even call me and they're looking to snatch my fucking son (laugh) unfucking real.

GUERRA:

Don't send the kids to school tomorrow morning until we get this thing straightened out anyway.

MENGRONE:

(Inaud) I won't let them outta the house. What are you didding me.

GUERRA:

Alright Petc.

MENGRONE:

If you hear anything you call me, you know how to ring the phone.

GUERRA:

Peter, I won't even have, if I get anything I'll call you on my other phone, I won't even hang up if I got somebody on the other line.

MENGRONE:

OK

GUERRA:

Right

THE PROSECUTION CONTENDS THAT ON SEPTEMBER 14, 1973 AT 6:22 P.M. THERE WAS AN OUTGOING CALL TO (212) 798-7056 FROM PETER MENGRONE TO LOUIS GUERRRA.

Conversation #1180

EXH 58

MENGRONE:

What's happening on your end?

GUERRA:

Nothing, absolutely nothing, I feel like I m dead.

MENGRONE:

Did you talk to him at all?

GUERRA:

What?

MENGRONE:

Did you talk to him?

GUERRA:

Oh - just to Louis

MENGRONE:

Right

GUERRA:

He tells me nothing new.

MENGRONE:

(inaud) over this phone - what - circus

GUERRA:

. What?

MENGRONE:

You can tell over this phone on my end

GUERRA:

(inaud) Yea

MENGRONE:

But oh, he called two or three times and oh- in fact he was told not to call from what I understand that you know, he keeps rambling! about Ernie and everything - you know, and done ah - he's toll there's contracts out on him and just I said, do me a favor Albert please, give me a break, I says you know, where your information is coming from has got to be beautiful I said but er - whoever it is gotta be playing with your head - I said your supposed to meet me, the other guy, you know, the four of us sit down like gentleman, resolve our problem, then you sit down on your end with the other guy there and then you know, (inaud) with Ernie - I said one thing at a time you know and whether it comes about who knows - but er. . .

GUERRA:

I don't know - I got nobody to sit down for me so they don't tell me anything. (Inaud) like I got a lot of money owed to me and I'm trying to get something out of it - I'm waiting for this to clean up and then I'll start you know. . .

You know the funny, the funniest part when you go over it - if he doesn't do this to start with - that everybody gets what they were supposed to get.

GUERRA:

(inaud) I don't know why - (inaud) said he couldn't get anything or - but he was supposed to have drawing power - I don't understand.

MENGRONE:

No - you let it slip - I haven't said a word believe - you let it slip - in the . . . talking there bout that if there wasn't nothing - Louie said to you, you know be careful what you say, you know, there is somebody here meaning Ernie, you know, and looked at Louie and said you know, you'ar an - other one - if you realize that he could not pull why don't you say something then could've given that back and waited the guy waited four weeks so he waits another week - you follow me -

GUERRA:

Yea

MENGRONE:

He was alive but he was ready

GUERRA:

Well but er - the story there is that Ernie wanted it, tge way I heard it, that Ernie set it up for a Rip in the beginning but then Al turned around and said no because - he could draw but I guess Al was just making improvisin a little- Ernie had set it up originally as a rip.

MENGRONE:

Well that's nice to know.

GUERRA:

Oh, you didn't. . . we said it right in front of you. I don't know what doing.

MENGRONE:

No, no, no - that night I found out, I'm telling you.

GUERRA:

Yea.

MENGRONE:

You follow me - then ah - when they explained how they spent the money = Ernie admitted it - right in front of you that he . . . it was gonna be a rip and the 30,000 was gonna go back to you and tell you to give it back to the shine and you were supposed to forget about the 20.

MENGRONE:

Yea, meaning (inaud) in that situation.

GUERRA:

OK we'er even

MENGRONE:

Right and then it was between Ernie and I.

GUERRA:

Yea but the whole thing from the beginning - Ernie got Al into it - by (inaud) saying he was gonna pull and Al decided he was gonna pull - I don't know where he got that idea from - But ah.

See. .

GUERRA:

He started off on the wrong foot and I did . when I heard all about it when we sat down that night -

when we went to find out about your son

MENGRONE:

I still can't.

GUERRA:

That was the first thing I knew about it.

MENGRONE:

And I still can't figure out why he didn't do what I told him - in other words, say Ernie had 10 or 12 right -

he still stood if he just pulled one to pick up 9.

GUERRA:

(inaud) probably - there's probably nothing there.

MENGRONE:

He should have said something.

GUERRA:

Don't you think now - (inaud) right from the beginning

you were made you were had.

MENGRONE:

Right - he tries to tell his man - all say this to you, but this is what upset me - that I was in on it from the beginning - the entire beat - and I says to myself -you gonna go to a guy and lie to him - you gotta be wild - especially like you say, with the people who know me, anybody that knows me, you know, I'm straight - I got into this, you know. .

GUERRA:

Well if you were in on it in the beginning, why would you give up the money

MENGRONE:

(inaud) you see - who knows - the guy Jimmy got on the phone today assured me that they : . . again like at if he lies to me and I go to Tony tonight and says he got on the phone, they were gonna rectify, don't worry everything's - you're off the hook and everything else we'll give you the money and it doesn't come up that way, then today all he is doing is buying time - I don't know why - But I'll fill you in whatever the hell happens tonight, I'll give you a call tomorrow to let you know what's going on.

GUERRA:

Where you going with that er. . .

MENGRONE:

I got it with me.

GUERRA:

(inaud) toy.

MENGRONE:

I got no choice - I got it with me.

GUERRA:

(inaud) alright - (inaud) I mean I don't want you to use it, I rather you didn't use it - but. . .

#1180

MENGRONE: I don't trust the fuckin Yam - I can't trust him.

GUERRA: Yea, alright

MENGRONE: Because he's panicked, I'm telling you - he's got

people you know, like pressing his ass - he's riding you know with his brother with the shotgun in the car

and the key.

GUERRA: Just that if you don't use it - try not to throw it

away.

MENGRONE: Oh you know better than that - don't no.

GUERRA: But if you gonna get in trouble, you gotta throw it

away, throw it away.

MENGRONE: Don't worry about it.

MENGRONE: But ah no. . . (inaud)

GUERRA: (inaud) give it back to my son

MENGRONE: You got it

GUERRA: Alright

MENGRONE: Be good brother, I'll talk to you later.

GUERRA: Alright Pete - hang in there

MENGRONE: OK Bye - bye

GUERRA: Bye.

JPL: emw

THE PROSECUTION CONTENDS THAT
ON OCTOBER 10, 1973 AT 8:05 PM
THERE WAS AN INCOMING CALL TO
914- FROM LOUIS GUERRA TO
PETER MENGRONE

Conversation: 2256 EXH 59

MENGRONE: I Was wondering if my a credit was good

to try a pound of your tea in my restaurant.

GUERRA: Oh sure, I'll give you two a them tomorrow.

MEMGRONE: O K I'd appreciate, thanks, I got.

GUERRA: Alright.

MENGRONE: Somebody I can ya know get to work with.

GUERRA: Alright.

MENGRONE: I got, whats happenin otherwise ..

GUERRA: Nothin everythings quiet.

MENGRONE: Ah.

GUERRA: Like I told ya I'm not pressin because a . .

MENGROME You got the other thing going.

GUERRA: Not even that, but I got ya know whose a cop,

ya know sometimes.

MENGRONE: Right, well I got my nephew visiting me,

the seven year old, ya know, the kid is worth

thirty-one ya know.

GUERRA: Yeah.

MENGRONE: So if you could do something like ya know, whether

its small - anything just let me know, cause it

was a given to me last night.

VI. WIRETAP CONVERSATIONS

There has been an extensive amount of wiretap conversations presented to you during the trial as well as the testimony of Albert Rossi and Gary Pearson concerning the Mengrom incident. During the conversations, you have heard the defendant Louis Guerra in conversations with Peter Mengrone. Mr. Guerra contends that those conversations reflect an attempt to steal Mr. Mengrone's money through fraud, or as has been described at this trial, through a "rip off." Whether in fact that was the case is for you, the jury, to determine. If however you find that it was a "rip off" of money belonging to Peter Mengrone and Frank Lucas, with no intent to supply any narcotic drugs, then I charge you that these wiretap conversations could not have been in furtherance of the conspiracy alleged in this case which was to possess with intent to distribute various controlled substances.

Again, it is for you to determine what the case may be.

N. S. V. Cirallygo - Epstein

AFFIDAVIT OF PERSONAL SERVICE

STATE OF NEW YORK,
COUNTY OF RICHMOND ss.:

deponent is not a party to the action, is over 18 years of age and resides at 286 Richmond Avenue, Staten Island, N.Y. 10302. That on the day of the within the served the within the left herein, by delivering a true copy thereof to h personally. Deponent knew the person so served to be the person mentioned and described in said papers as the served therein.

Sworn to before me,

this day of June

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Edward Bailey

WILLIAM BAILEY

Notary Public, State of New York

No. 43-0132945

Qualified in Richmond County

Commission Expires March 30, 1973